

ITEM NO.12

COURT NO.3

SECTION XIV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 27178/2023

(Arising out of impugned final judgment and order dated 07-07-2023 in FAO(OS)(COMM) No. 262/2018 passed by the High Court of Delhi at New Delhi)

INDIAN POTASH LIMITED

Petitioner(s)

VERSUS

M/S EMMSONS GULF DMCC

Respondent(s)

(IA No.206521/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.206524/2023-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS and IA No.206522/2023-PERMISSION TO FILE LENGTHY LIST OF DATES)

Date : 13-10-2023 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s) Mr. R. Venkataramani, AG
Mr. G. N. Reddy, Adv.
Mr. Alok Kumar, Adv.
Mr. Chitvan Singhal, Adv.
Ms. Deepti Bhardwaj, Adv.
Mr. Kunal Arora, Adv.
Ms. Raghwi Rawat, Adv.
Mr. Ayush Singhal, Adv.
M/S. Shree Chakra Chambers, AOR

For Respondent(s)

UPON hearing the counsel, the Court made the following
O R D E R

Delay condoned.

It is submitted that the acceptance of the material was subject to the reduced the price. The impugned award, therefore, is patently perverse and deserves to be set aside. The respondent who had delayed the shipment is being unjustly enriched.

Issue notice, returnable in the month of January 2024.

Notice will be served by all modes, including *dasti*.

There shall be a stay of execution proceedings till the next date of hearing.

(BABITA PANDEY)
COURT MASTER (SH)

(R.S. NARAYANAN)
ASSISTANT REGISTRAR