

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).12321-12323/2017

(Arising out of impugned final judgment and order dated 03/04/2017 in CRP No.51/2017 and CRP No.52/2017 and dated 07/04/2017 in IA (Civil)No.1183/2017 in CRP No.51/2017 passed by the High Court of Gauhati)

CALCOM CEMENT INDIA LIMITED & ANR.

Petitioner(s)

VERSUS

BINOD KUMAR BAWRI & ORS.ETC.ETC.

Respondent(s)

(With appln.(s) for exemption from filing c/c of the impugned judgment, for amendment of SLP alongwith affidavit and permission to file additional documents and stay)

Date : 05/05/2017 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD  
HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

For Petitioner(s) Mr. Kapil Sibbal, Sr. Adv.  
Mr. P.H. Parekh, Sr. Adv.  
Mr. Guru Krishna Kumar, Sr. Adv.  
Mr. Sameer Parekh, Adv.  
Mr. D.P. Mohanty, Adv.  
Mr. Anupam Lal Das, Adv.  
Mr. Raktim Gogoi, Adv.  
Ms. Swati Bhardwaj, Adv.  
Ms. Pavitra Singh, Adv.  
Ms. Sreeparna Basak, Adv.  
Mr. Kartikeya Singh, Adv.  
Mr. Vishal Prasad, Adv.  
Mr. Anirudh Singh, Adv.  
Ms. Ritika Sethi, Adv.  
for M/s. Parekh & Co., Adv.

For Respondent(s) Mr. Amrendra Sharan, Sr. Adv.  
Mr. Vikas Singh, Sr. Adv.  
Mr. Aman Sinha, Sr. Adv.  
Mr. Sanjai Kumar Pathak, Adv.  
Mr. Shailender Singh, Adv.  
Mr. Satyaveer Singh, Adv.  
Mr. Ankur Sudan, Adv.

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

1. We have heard learned counsel for the rival parties.

2. In supercession of impugned orders dated 3.4.2017 and 7.4.2017, we direct the High Court to limit the initial consideration to the maintainability of the petition under Article 227 of the Constitution of India. The remaining issues, if they still arise, will be taken up for consideration after four weeks from the date of pronouncement of its order on the subject of jurisdiction. With the consent of the learned counsel for the parties, the injunction ordered on 26.4.2017 passed by the High Court in CRP Nos.51 and 52 of 2017, is vacated, and as such, arbitration proceedings may go on.

3. The special leave petitions are disposed of, in the above terms. Pending applications also stand disposed of.

(Sarita Purohit)  
Court Master

(Renuka Sadana)  
Assistant Registrar