

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

MISCELLANEOUS APPLICATION NO.433/2021

WITH

MISCELLANEOUS APPLICATION NO.434/2021

WITH

MISCELLANEOUS APPLICATION NO.495 OF 2021

IN

ARBITRATION CASE(CIVIL) No. 22/2020

M/S SCHLUMBERGER ASIA SERVICES LTD.

Petitioner(s)

VERSUS

OIL AND NATURAL GAS CORPORATION LIMITED

Respondent(s)

O R D E R

The Court is convened through Video Conferencing.

MA No.434/2021 in ARBITRATION CASE(C) No. 22/2020:-

The above application is filed by Oil and Natural Gas Corporation Limited seeking clarification of the Order dated 4-1-2021 passed by this Court with regard to fee.

So far as the request for modification of the fee is concerned, it is left open to the applicant (O.N.G.C.) to bring it to the notice to learned Arbitrator(s) about the Clause 27.2 mentioned in the Agreement and it is for the Learned Arbitrator(s) to take a decision on that aspect one way or the other.

The said application is disposed of in the above-stated terms.

MA No.495/2021 in ARBITRATION CASE(C)No.22/2020 WITH I.A. No.38828/2021 – APPLN. SEEKING EXEMPTION FROM FILING AFFIDAVIT

Application seeking exemption from filing notarized affidavit is allowed.

The above application is filed by M/s. Schlumberger Asia Services Limited seeking modification of the Court's Order dated 4-1-2021 for substituting the Arbitrator.

So far as the request seeking replacement of Arbitrator is concerned, we find that Hon'ble Mr. Justice S.J. Vazifdar, who was appointed earlier, has expressed his inability to take up the appointment.

In view of the above, the applicant has proposed the name of Hon'ble Mr. Justice Satyaranjan C. Dharmadhikari, Former Judge, Bombay High Court.

Learned counsel appearing for the O.N.G.C. has no objection for the same.

Accordingly, we nominate Hon'ble Mr. Justice Satyaranjan C. Dharmadhikari, Former Judge, Bombay High Court in place of Hon'ble Mr. Justice S.J. Vazifdar as one of the Arbitrators.

The application is disposed of in the afore-stated terms.

MA No.433/2021 in ARBITRATION CASE(C) No. 22/2020:-

The above application is disposed of in terms of the Order passed in M.A. No.495/2021.

.....CJI  
(N.V. RAMANA)

.....J  
(A.S. BOPANNA)

.....J  
(HRISHIKESH ROY)

NEW DELHI;  
1ST JULY, 2021.

ITEM NO.3                      Court 1 (Video Conferencing)                      SECTION XVI-A

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

Miscellaneous Application No.433/2021 in ARBIT.CASE(C) No. 22/2020

(Arising out of impugned final judgment and order dated 04-01-2021 in ARBIT.CASE(C) No. No. 22/2020 passed by the Supreme Court of India)

M/S SCHLUMBERGER ASIA SERVICES LTD.                      Petitioner(s)

VERSUS

OIL AND NATURAL GAS CORPORATION LIMITED                      Respondent(s)

(FOR ADMISSION)

WITH

MA 434/2021 in ARBIT.CASE(C) No. 22/2020 (XVI-A)  
(FOR ADMISSION and IA No.17326/2021-CLARIFICATION/DIRECTION)  
MA 495/2021 in ARBIT.CASE(C) No. 22/2020 (XVI-A)  
(FOR EXEMPTION FROM FILING AFFIDAVIT ON IA 38828/2021)

Date : 01-07-2021 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE A.S. BOPANNA  
HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s)

By Courts Motion

Mr. Shashank Manish, AOR  
Mr. Vijay Purohit, Adv.  
Mr. Amit Kumar Mishra, Adv.  
Ms. Smriti Shah, Adv.  
Ms. Nidhi Sahay, Adv.

For Respondent(s)

Mr. Aditya Ganju, Adv.  
Mr. Arjit Oswal, Adv.  
For M/s.Khaitan & Co., AOR

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

The Court is convened through Video Conferencing.

Application seeking exemption from filing notarized affidavit is allowed in Miscellaneous Application No.495/2021.

Miscellaneous Applications are disposed of in terms of the signed order.

(VISHAL ANAND)  
ASTT. REGISTRAR-cum-PS

(R.S. NARAYANAN)  
COURT MASTER (NSH)

(Signed Order is placed on the file)