

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). 47322/2023

(Arising out of impugned final judgment and order dated 17-05-2023 in EFA (COMM) No. 3/2023 passed by the High Court of Delhi at New Delhi)

KOTAK MAHINDRA BANK LIMITED

Petitioner(s)

VERSUS

NARENDRA KUMAR PRAJAPAT

Respondent(s)

(IA No.245229/2023-CONDONATION OF DELAY IN FILING and IA No.245230/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 12-12-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE DIPANKAR DATTA

For Petitioner(s)

Mr. V. Giri, Sr. Adv.
Mr. V. Seshagiri, Adv.
Mr. Bikram Bhattacharya, Adv.
Mrs. Bela Maheshwari, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E RHeard the learned senior counsel appearing for the
petitioner.

Delay condoned.

From paragraph 6 of the impugned order, it appears to be an admitted position that the Arbitrator unilaterally appointed by the petitioner was ineligible to be appointed as an arbitrator by virtue of Section 12(5) of the Arbitration and Conciliation Act, 1996.

Hence, in view of this peculiar factual position, no case for interference is made out in exercise of our jurisdiction under Article 136 of the Constitution of India. The Special Leave Petition is accordingly dismissed.

Pending application also stands disposed of.

(ANITA MALHOTRA)
AR-CUM-PS

(AVGV RAMU)
COURT MASTER