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C.A.No. 1458 OF 1999

ITEM No.104

Court No. 1

SECTION XIV

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

Civil Appeal No. 1458 of 1999

M/s. Jay Vinyls Limited and Anr.Appellant (s)

VERSUS

M/s. Unitech Limited Respondent (s)

(With appln. for early hearing and office report)

Date : 31-03-2004 This appeal was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE S.B. SINHA
HON'BLE MR. JUSTICE S.H. KAPADIA

For Appellant (s) Mr. Sanjeev Anand, Adv,

For Respondent (s) Mr. Ejaz Maqbool, Adv.
Mr. S.K. Maniktala, Adv.

Mr. Abhimeet Sinha, Adv.
Ms. Minakshi Nag, Adv.
Mr. Gourav Kejriwal, Adv.

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

The appeal is dismissed.

[Alka Dudeja] [Janki Bhatia]
Court Master Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1458 OF 1999

M/s. Jay Vinyls Limited and Anr....Appellant (s)

Versus

M/s. Unitech Limited...Respondent (s)

O R D E R

In view of the decision of this Court in Konkan Railway Corporation Ltd. and Anr. Vs. Rani Construction Pvt. Ltd., reported in 2002 (2) SCC 388, this appeal is not maintainable. However, it is open to the appellants to challenge the appointment of an Arbitrator as permissible under law.

The appeal is, accordingly, dismissed.

.....CJI.

.....J.
(S.B. Sinha)

.....J.
(S.H. Kapadia)

New Delhi,
March 31, 2004.