

ITEM NO.5,5.1-5.3

COURT NO.7

SECTION XI -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

Petitions for Special Leave to Appeal (C) Nos. 5773-5779/2013  
(Arising out of impugned final judgment and order dated  
11-07-2012 in AR Nos. 31/2009, 32/2009, AR No. 33/2009, AR No.  
34/2009, AR No. 36/2010, AR No. 37/2010 and AR No. 38/2010  
passed by the High Court Of Kerala At Ernakulam)

G.M., SOUTHERN RAILWAY HQ OFFICE &amp; ANR.

Petitioner(s)

VERSUS

JOHNY J. VILANGADAN  
(With prayer for interim relief)

Respondent(s)

WITH

SLP(C) No. 22938-22939/2014 (XV)  
(With prayer for interim relief)

SLP(C) No. 24499/2013 (XI)  
(With appln.(s) for permission to file addl. documents with  
prayer for interim relief)

SLP(C) No. 24890/2015 (XII)  
(With prayer for interim relief)

Date : 23-01-2018 These petitions were called on  
for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.A. BOBDE  
HON'BLE MR. JUSTICE L. NAGESWARA RAO

For Petitioner(s) Mr. Ajit Kumar Sinha, Sr. Adv.  
Ms. Kiran Bhardwaj, Adv.  
Ms. Manita Verma, Adv.  
Ms. Binu Tamta, Adv.  
Mr. R. Balasubramanian, Adv.  
Ms. Aarti Sharma, Adv.  
Mr. Mukesh Kumar Maroria, AOR

For Respondent(s) Mr. H.D. Thanvi, Adv.  
Ms. Preeti Thanvi, Adv.  
Mr. Mukul Kumar, AOR

Mr. Aneesh Mittal, Adv.  
Mr. Pawanshree Agrawal, AOR

Mr. P. Soma Sundaram, AOR  
Mr. Mayilsamy K., Adv.  
Mr. K Muthu Ganesa Pandian, Adv.

Mr. Mathai Paikadey, Sr. Adv.  
Mr. Wills Mathews, Adv.  
Mr. Ginesh P., Adv.  
Mr. K Ramesh, Adv.  
Mr. P. George Giri, AOR

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

SLP(C) Nos. 5773-5779/2013

Having regard to the circumstances of the case and particularly, the fact that the agreements in question are signed in the year 1995 and the matter remained unresolved as on date, we do not consider it appropriate to interfere with the impugned order(s). Accordingly, the special leave petitions are dismissed.

SLP(C) No. 24499/2013

In the circumstances of the case, particularly, the long time that is being taken in the matter to be resolved, we see no reason to interfere with the impugned order. Accordingly, the special leave petition is dismissed.

We appoint Justice Sushil Harkauli, former Judge, High Court of Judicature at Allahabad to act as an arbitrator in the matter.

The learned Arbitrator shall be at liberty to fix the remuneration in consultation with the parties.

SLP(C) No. 22938-22939/2014

Having regard to the circumstances of the case, particularly the time period in which the arbitration

has been pending, we see no reason to interfere with the impugned order(s). Accordingly, the special leave petitions are dismissed.

The Retired Superintending Engineer who has been appointed as the Arbitrator by the High Court, is directed to proceed further with the matter as expeditiously as possible.

SLP(C) No 24890/2015

Having regard to the circumstances of the case, particularly the time period in which the arbitration has been pending and as we are informed that the learned Arbitrator has reserved the matter for passing of Award, we see no reason to interfere with the impugned order. Accordingly, the special leave petition is dismissed.

[ Charanjeet Kaur ]  
A.R.-cum-P.S.

[ Indu Kumari Pokhriyal ]  
Asstt. Registrar