

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). 9404/2020

[Arising out of impugned judgment and order dated 14-01-2020 in ARBP No. 167/2019 passed by the High Court of Delhi at New Delhi]

RAIL VIKAS NIGAM LIMITED

Petitioner(s)

VERSUS

SMS LTD.

Respondent(s)

WITH

SLP(C) No. 9417/2020 (XIV)

Date : 04-08-2026 These petitions were called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MRS. JUSTICE V. MOHANA

For Petitioner(s) :Mr. Udit Seth, Adv.
Mr. Anil Seth, Adv.
Mr. Ravi Shankar, AOR

For Respondent(s) :Mr. Ritin Rai, Sr. Adv.
Mr. Sandeep Devashish Das, AOR
Ms. Kanak Malik, Adv.
Mr. Tejasvi Mahajan, Adv.
Mr. Lokesh Kumar, Adv.

Mr. Krishna Ballabh Thakur, AOR

UPON hearing the counsel the Court made the following

O R D E R

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1. Heard learned Senior Counsel/Counsel for the parties.
2. In view of the fact that the High Court has already appointed the learned Arbitrator, we are not inclined to entertain this Special Leave Petition, especially due to the reason that it may

unnecessarily delaying the ongoing arbitration proceedings.

3. Consequently, the Special Leave Petition is dismissed. The parties may approach the learned Arbitrator for continuation of the arbitration proceedings. However, the question of law is kept open to be gone into in the appropriate proceedings.

4. Pending application(s), if any, shall stand closed.

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5. During the course of hearing, learned counsel for the parties have been persuaded to agree that the learned sole Arbitrator appointed by the High Court shall be the Presiding Arbitrator and both parties shall nominate their respective Arbitrators.

6. The needful shall be done within two weeks. The three-member Arbitral Tribunal shall thereafter proceed with the matter in accordance with law.

7. It goes without saying that the learned Arbitral Tribunal shall proceed/continue from the stage it had already reached.

8. The Special Leave Petition is, accordingly, disposed of. It is clarified that we have not expressed any opinion on merits of the case/proceedings.

9. Pending application(s), if any, shall stand closed.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
DY. REGISTRAR