

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL Nos. 3605-3606 OF 2016

BHARAT ALUMINIUM CO. LTD.

... APPELLANT

VERSUS

M/S ENG. PROJECTS (I) LTD. & ORS.

... RESPONDENTS

O R D E R

1. Having heard learned counsels for the parties, we are of the view that the issue with regard to the validity of the impugned Office Memorandum and the arbitration proceeding, which has proceeded till date, shall not be called into question. However, upon agreement of the parties, which we presently record in the order, we direct that the arbitration shall be continued from the stage it has arrived at by Hon'ble Mr. Justice Sanjay Karol, Former Judge of the Supreme Court of India.

2. In the course of arbitration, learned Arbitrator shall also consider whether the interim award dated 31.12.2002 was passed on consent and is binding on the parties.

3. The parties shall be free to raise all issues before the learned Arbitrator in accordance with law.

4. The Arbitrator appointed shall proceed with the matter after complying with the provisions of the Arbitration and Conciliation Act, 1996.

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document.

5. The Arbitrator shall have the liberty to fix his own remuneration and the place of arbitration.

6. The appeals stand disposed of accordingly.

7. As a result, the pending interlocutory application also stands disposed of.
8. The question of law with regard to the validity of the Office Memorandum is kept open to be adjudicated in an appropriate case.
9. The Registry is directed to communicate the instant order to the learned Arbitrator.

.....J.
(JOYMALYA BAGCHI)

.....J.
(V. MOHANA)

NEW DELHI;
SEPTEMBER 30, 2026

ITEM NO.114

COURT NO.18

SECTION IV

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

Civil Appeal No(s).3605-3606/2016

BHARAT ALUMINIUM CO.LTD.

Appellant(s)

VERSUS

M/S ENG.PROJECTS(I)LTD. & ORS.

Respondent(s)

Date : 30-09-2026 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MRS. JUSTICE V. MOHANA

For Appellant(s) Mr. P. S. Sudheer, AOR
Mr. Rishi Maheshwari, Adv.
Ms. Anne Mathew, Adv.
Mr. Bharat Sood, Adv.
Mr. Jashan Vir Singh, Adv.

For Respondent(s) Mr. Uttam Datt, Sr.Adv.
Mr. Ambhoj Kumar Sinha- 1236, AOR
Ms. Sonakshi Singh, Adv.
Mr. Naman Kumar, Adv.

Mrs. Aishwarya Bhati, A.S.G.
Ms. Madhulika Upadhyay- 4185, AOR
Mrs. Madhulika Upadhyay, Adv.
Ms. Chitrangda Rastaravara, Adv.
Ms. Yogya Rajpurohit, Adv.
Ms. Medha Pushkarna, Adv.

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

1. The appeals stand disposed of in terms of the signed order.
2. As a result, the pending interlocutory application also stands disposed of.
3. The question of law with regard to the validity of the Office Memorandum is kept open to be adjudicated in an appropriate case.

4. The Registry is directed to communicate the instant order to the learned Arbitrator.

(SATISH KUMAR YADAV)
ADDITIONAL REGISTRAR

(PREETHI DILEEP KUMAR)
DEPUTY REGISTRAR

(Signed order is placed on the file)