IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

ARBITRATION PETITION (C) NO.49 OF 2026

INDIES PHARMA JAMAICA LIMITED **PETITIONER(S)**

VERSUS

ZYDUS LIFESCIENCES LIMITED **RESPONDENT(S)**
(FORMERLY CADILLA HEALTHCARE LIMITED)

O R D E R

1. This petition under Section 11(6) read with Section 11(12)(a) of the Arbitration and Conciliation Act, 1996 (for short, "the Act"), seeks the appointment of a Sole Arbitrator to adjudicate the disputes arising between the parties out of the Contract Manufacturing Agreement dated 20.05.2021 (for short, "CMA") read with the Letter of Intent dated 14.12.2020 (for short, "LOI").

2. Briefly stated, the Petitioner, Indies Pharma Jamaica Limited, is a pharmaceutical company incorporated under the laws of Jamaica, while the Respondent, Zydus Lifesciences Limited (formerly Cadilla Healthcare Limited), is a company incorporated under the laws of India. The parties entered into the aforesaid LOI and CMA for the technology transfer documents, contract manufacturing, and supply of a generic version of the drug 'Nelarabine' for commercialization in the United States of America. Article 18(a) of the CMA contains the dispute resolution clause, providing for arbitration in accordance with the provisions of the Arbitration and Conciliation Act, 1996, with the seat/venue

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Digitally signed by ARJUN BISHT
Date: 2026.01.18 17:04:30 IST
Reason:

at Ahmedabad, India.

3. Disputes arose between the parties regarding alleged delays in completing requisite scientific studies and deliverables for filing the Abbreviated New Drug Application (ANDA) before the USFDA. After issuing a Legal Notice dated 18.11.2024 seeking amicable settlement under Article 18(a) of the CMA, to which the Respondent replied on 09.12.2024 declining settlement discussions, the Petitioner invoked arbitration vide Notice dated 02.04.2025 under Section 21 of the Act and proposed the appointment of a Sole Arbitrator. The Respondent, vide reply dated 02.05.2025, disputed the existence of an arbitrable dispute and declined to consent to the appointment. Hence, the present petition.

4. We have heard learned counsel for the parties and perused the material placed on record.

5. Having regard to the limited scope of inquiry under Section 11 of the Act and the fact that the existence of the arbitration agreement is not in dispute, we deem it just and proper to allow the present petition. All preliminary objections and contentions of the parties, including the issue of limitation, which is a mixed question of fact and law, are kept open to be adjudicated by the learned Arbitrator.

6. Accordingly, we appoint Hon'ble Mr. Justice Rashmin M. Chhaya, Former Chief Justice of Gauhati High Court, as the Sole Arbitrator to adjudicate the disputes and differences between the parties arising out of and in connection with the aforesaid agreements.

7. The seat and venue of the arbitration, in accordance with Article 18(a) of the CMA, shall be Ahmedabad, India.

8. The learned Sole Arbitrator shall be at liberty to fix his fees in consultation with the parties.

9. The Arbitration Petition is allowed in the aforesaid terms.

10. Pending interlocutory applications, if any, also stand disposed of.

.....J.
(JOYMALYA BAGCHI)

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

NEW DELHI;
NOVEMBER 16, 2026

ITEM NO.33 COURT NO.18 SECTION PIL-W

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

Petition(s) for Arbitration No(s).49/2026

INDIES PHARMA JAMAICA LIMITED Petitioner(s)

VERSUS

ZYDUS LIFESCIENCES LIMITED
(FORMERLY CADILLA HEALTHCARE LIMITED) Respondent(s)

Date : 16-11-2026 This petition was called on for hearing today.

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

For Petitioner(s) :Mr. Shouryabrata Mandal- 1616, AOR
Ms. Purnima Singh Kamble, Adv.
Mr. Vijayakumar Reddy, Adv.
Mr. Surya Teja Peri, Adv.
Mr. Pulkit Jain, Adv.

For Respondent(s) :Mr. Ankit Anandraj Shah- 2402, AOR
Ms. Tanushree Karnawat, Adv.

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

1. The Arbitration Petition is allowed in terms of the signed order.

2. Pending applications, if any, also stand disposed of.

(ARJUN BISHT) (PREETHI DILEEP KUMAR)
ASTT. REGISTRAR-cum-PS DY. REGISTRAR
(signed order is placed on the file)