

ITEM NO.9 Court 13 (Video Conferencing) SECTION XIV

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

Miscellaneous Application No. 1990-1991/2019 in SLP(C) No. 10021-10022/2017

(Arising out of impugned final judgment and order dated 16-01-2018 in SLP(C) No. No. 10021/2017 16-01-2018 in SLP(C) No. 10022/2017 passed by the Supreme Court Of India)

M/S HCIL ADHIKARYA ARSS (JV) THROUGH AUTHORIZED SIGNATORY

Petitioner(s)

VERSUS

RAIL VIKAS NIGAM LTD. THR. MANAGING DIRECTOR

Respondent(s)

Date : 08-09-2021 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE M.R. SHAH
HON'BLE MR. JUSTICE ANIRUDDHA BOSE

For Petitioner(s) Mr. Mayank Kshirsagar, AOR
Mr. Dhruv Chawla, Adv.
Ms. Pankhuri, Adv.

For Respondent(s) Mr. Anil Seth, Adv.
Mr. Udit Seth, Adv.
Mr. Prateek, Adv.
Mr. C. Kannan, Adv.
Mr. Ravi Shankar, AOR

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

A very important question of law arises in the present Miscellaneous Applications arising out Special Leave Petitions on the issue whether a separate fee under the Fourth Schedule of the Arbitration & Conciliation Act, 1996 is payable on the counter claim or not. The issue would have a wider implication. There may be other ancillary issues also which are also required to be considered, considering the object and purpose for which the Arbitration & Conciliation Act, 1996 was enacted.

We requested Mr. Huzefa Ahmadi, learned Senior Advocate, who is present in the Court, to assist the Court to which he consented. We, hereby, appoint Mr. Huzefa Ahmadi as *Amicus Curiae* in this matter.

The Registry is directed to furnish a copy of the paper-books to the learned *Amicus Curiae* immediately.

List on 30.09.2021.

(R. NATARAJAN)
ASTT. REGISTRAR-cum-PS

(NISHA TRIPATHI)
BRANCH OFFICER