

ITEM NO.9 Court 4 (Video Conferencing) SECTION IX

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 Special Leave to Appeal (C) No(s). 9672/2020

(Arising out of impugned final judgment and order dated 21-07-2020 in COM-ARBA-LD-VC No. 117/2020 passed by the High Court of Judicature At Bombay)

M/S DILIP BUILDCON LTD Petitioner(s)

VERSUS

M/S TOPWORTH INFRA PVT LTD Respondent(s)

(FOR ADMISSION and I.R. and IA No.78714/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 25-08-2020 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN
HON'BLE MR. JUSTICE NAVIN SINHA

For Petitioner(s) Mr. Anukul Raj, Adv.
Mr. Kumar Dushyant Singh, AOR

For Respondent(s)

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

We have heard Mr. Anukul Raj, learned Advocate, appearing on behalf of the petitioner. Despite the fact that the mike was on and despite the fact that he was told by the Court at least three times that he should open his mouth, he purposely did not do so because he was waiting for a Senior Advocate. He should have come upfront with the Court and informed the Court that he was waiting for the Senior Advocate instead of indulging in tactics of this kind. We strongly deprecate tactics of this kind. We do not want advocates to take advantage of a non-physical hearing system when it is working on both sides. However, despite all this we have

still heard the learned counsel. Learned counsel exhorted us to appoint a retired Judge instead of a learned Senior Advocate, which is what was done by the Bombay High Court. We do not think in the fitness of things that we should interfere given our discretionary jurisdiction under Article 136 of the Constitution of India.

The Special Leave Petition is dismissed.

Pending application stands disposed of.

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

(NISHA TRIPATHI)
BRANCH OFFICER