

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION (L) NO. 118 OF 2015

JSW Steel Limited

... Petitioner

Versus

GAIL (India) Limited

... Respondent

Mr. Janak Dwarkadas, Sr. Adv. a/w. Mr. Karl Tamboly, Mr. M.P. Bharucha, Ms. Nandini Singh, Ms. Shreya Ramesh i/b. Bharucha and Partners for the Petitioner.

Mr. Shanmugha T. Pillai, Deputy Manager (Law) of the Respondent, present in person.

CORAM : S.J. KATHAWALLA, J.
DATED : 20TH JANUARY, 2015

PC.

1. Mentioned. Not on board. Taken on board.
2. Mr. Shanmugha T. Pillai, Deputy Manager (Law) of the Respondent – GAIL (India) Limited is present in Court. He has tendered a letter dated 21st February, 2012 addressed by the Ministry of Petroleum and Natural Gas to the Chairman and Managing Director, GAIL (India) Limited, New Delhi wherein it is stated as follows :

“In cases where there has been change in constitution / ownership / location after 11.3.2010 and are not covered under the guidelines, the cases may be referred to the Ministry with recommendations of GAIL along with substantiating documents”.

A copy of the said letter dated 21st February, 2012 is taken on record and marked 'X' for identification.

3. Mr. Shanmugha T. Pillai states that GAIL (India) Limited shall refer the case of the Petitioner to the Ministry of Petroleum and Natural Gas along with substantiating documents to enable the Ministry to take necessary decision in the matter and GAIL (India) Limited shall in the meantime recommence / continue the supply of gas to the Petitioner. The statement is accepted.

4. In the event of the Ministry of Petroleum and Natural Gas taking any decision which is adverse to the Petitioner, the Respondent - GAIL (India) Limited shall continue the gas supply to the Petitioner for a further period of three weeks to enable the Petitioner to take out appropriate proceedings.

5. The above Petition is accordingly disposed of.

(S.J. KATHAWALLA, J.)