

\$~42

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **O.M.P.(I) (COMM.) 346/2018**

JALDHI OVERSEAS PTE LTD

..... Petitioner

Through: Mr.Rajshekhar Rao, Mr.Aditya
Verma, Mr.Tribkram Meelee &
Mr.Gaurav Sansanwal, Advs.

versus

STEEL AUTHORITY OF INDIA LTD & ANR.

..... Respondents

Through: Mr.Sandeep Sethi, Sr. Adv. with
Mr.Shaiwal Srivastava & Ms.Aayushi
Agarwal, Advs.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

%

04.09.2018

IA No. 11821/2018 (Exemption)

Allowed, subject to all just exceptions.

OMP (I)(COMM) 346/2018

This petition under Section 9 of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as the 'Act') has been filed by the petitioner seeking the following relief:-

*“a) an order and direction restraining the Respondents from circulating any further publicity that contains any references to the Petitioners, either directly or indirectly;
b) an order and direction requiring the Respondents to circulate an immediate apology to all the addresses of it email notification dated 9.8.2018 – and report due compliance to this Court;”*

Learned senior counsel for the respondents, who appears on an

advance notice, submits that the e-mail in question has not been addressed by the respondents in exercise of any contractual power in relation to the Contract of Affreightment dated 28.06.2017 and as such, the present petition would not be maintainable.

Recording the above submission of the learned senior counsel for the respondents, in my view, the dispute raised by the petitioner would not come within the ambit of Clause 50 of the Agreement, that is the Arbitration Agreement, and the present petition would not be maintainable. The petitioner shall be at liberty to pursue other legal remedy available to it in law.

The present petition is disposed of with the above observation, with no order as to cost.

NAVIN CHAWLA, J

SEPTEMBER 04, 2018/rv