

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

COMMERCIAL ARBITRATION PETITION NO.236 OF 2024

Shin-Etsu Chemical Co. Ltd.

...Petitioner

Versus

Sterlite Technologies Limited

...Respondent

Mr. Sharan Jagtiani, *Senior Advocate a/w. Akshay Doctor, Vyapak Desai, Arjun Gupta & Soumya Gulati i/b. Nishith Desai Associates, Advocate for Petitioner.*

Mr. Rohan Cama, *Advocate for Respondent.*

CORAM: SOMASEKHAR SUNDARESAN, J.

DATE : JANUARY 28, 2025

PC :

1. This is a Petition filed under Sections 47 and 49 of the Arbitration and Conciliation Act, 1996 (“*the Act*”).

2. Heard Learned Counsel for the parties for an overview of the matter. Based on the nature of the issues involved and bearing in mind the scope of jurisdiction under Section 34 of the Act, Learned Counsel have graciously agreed that the Petitioner shall take not more than **30 minutes** and the Respondent shall take no longer than **90 minutes** for verbal arguments in the matter.

3. Towards this end, the parties shall file a short Note on Submissions, not exceeding five pages, along with page and case law references, focusing on the scope of Section 34 of the Act, and setting out the manner in which the points canvassed by them ought to be accepted by this Court.

4. It is made clear that the time commitments made above shall bind the parties, and such time shall be utilized at the discretion of the Counsel for verbalizing the pivotal submissions, resting assured that the rest of their contentions from their Note on Submissions, would be dealt with by the Court.

5. With the aforesaid commitments, stand over to ***March 5, 2025***, for ***“Final Hearing-Part-II”***.

6. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court’s website.

[SOMASEKHAR SUNDARESAN, J.]