

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). 21111/2024

(Arising out of impugned final judgment and order dated 05-08-2024 in OMPM No. 35/2024 passed by the High Court Of Himachal Pradesh At Shimla)

M/S SAB INDUSTRIES LIMITED

Petitioner(s)

VERSUS

THE STATE OF HIMACHAL PRADESH & ANR.

Respondent(s)

(FOR ADMISSION)

Date : 17-09-2024 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ABHAY S. OKA  
HON'BLE MR. JUSTICE PANKAJ MITHAL

For Petitioner(s) Mr. Tarun Gupta, AOR  
Mr. Hirday Virdi, Adv.  
Mr. Sidhant Ranta, Adv.

For Respondent(s)

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

Learned counsel appearing for the petitioner places reliance on a decision of this Court in the case of Union of India vs. Varindera Constructions Ltd., (2020) 2 SCC 111. This judgment takes a view that the delay beyond the period of 120 days in preferring an appeal under Section 37 of the Arbitration and Conciliation Act, 1996 cannot be condoned.

Prima facie, it appears to us that in view of Section 43 of the 1996 Act, the said view may require reconsideration.

Issue notice, returnable on 21<sup>st</sup> October, 2024.

(KAVITA PAHUJA)  
ASTT. REGISTRAR-cum-PS

(AVGV RAMU)  
COURT MASTER (NSH)