

CASE NO.:
Arbitration Petition 2 of 2006

PETITIONER:
SEDCO FOREX INTERNATIONAL DRILLING INC

RESPONDENT:
THE OIL & NATURAL GAS CORPORATION LTD

DATE OF JUDGMENT: 20/04/2006

BENCH:
S.H. KAPADIA

JUDGMENT:
JUDGMENT

O R D E R

Heard learned counsel on both sides.

The facts of this matter are identical to the facts in Arbitration Petition No.1 of 2006 except for the date of contract and the amount. Therefore, it is not necessary for me to reiterate the facts.

Suffice it to state, that the application under section 11(4) of the Arbitration & Conciliation Act, 1996 preferred by the applicant is maintainable. It is not pre-mature, as contended on behalf of the ONGC. In the circumstances, Hon'ble Mrs. Justice Sujata V. Manohar (retired) and Hon'ble Mr. Justice V. N. Khare (former CJI) are appointed as Arbitrators to decide all disputes and differences between the parties. The two arbitrators shall appoint an umpire in terms of clause 28.0 of the contract.

Learned arbitrators may fix their own terms and conditions as to their remuneration.

As far as fixing of date of hearing is concerned, liberty is given to the parties to approach the arbitrators, who will decide the due date according to their convenience.

The arbitration petition is accordingly disposed of.