IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 6888 OF 2012
(Arising out of SLP(C) No.29641/2008)

M/S. DOLPHIN INTERNATIONAL LTD. Appellant(s)

:VERSUS:

M/S. V.O. TYAZHPROMEXPORT Respondent(s)

O R D E R

Leave granted.

We have heard the learned counsel for the parties.

It has been submitted by Mr. Hansaria, learned senior counsel appearing on behalf of the appellant that pursuant to the direction of this Court passed on 15.12.2009, 50% of the amount has already been deposited with the Registry of this Court and the remaining 50% amount, as claimed, has been secured by a Bank Guarantee of Canara Bank in favour of the Secretary General of this Court. In that view of the matter, we are of the considered opinion that necessary orders are required to be passed by the Company Court relegating the parties to the remedy of civil suit/arbitration/mediation or any other remedy available to them in law.

Consequently, the impugned order passed by the High Court is set aside and the Company Court is requested to pass necessary consequential orders as expeditiously as possible.

With the aforementioned observation and direction, this appeal is disposed of.

.....................J
(SURINDER SINGH NIJJAR)

.....................J
(H.L. GOKHALE)

New Delhi;
September 21, 2012.