

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL Nos.2845-2846 OF 2022
(Arising out of SLP(C)Nos.1669-1670 of 2022)

AMAZON.COM NV INVESTMENT HOLDINGS LLC

... APPELLANT

Versus

FUTURE RETAIL LIMITED & ORS.

... RESPONDENTS

WITH

CIVIL APPEAL Nos.2847-2848 OF 2022
(Arising out of SLP(C)Nos.1705-1706 of 2022)

O R D E R

Leave granted.

2. Heard Mr. Gopal Subramaniam and Mr. Ranjit Kumar, learned Senior counsel appearing on behalf of the petitioner as well as Mr. K.V. Viswanathan and Mr. Mukul Rohatgi, learned Senior counsel appearing on behalf of the respondents.

3. It is agreed to by the learned counsel for the parties that since the proceedings are going on before the learned Single Judge of the Delhi High Court, I.A.No.40429/2022 in SLP(C)Nos.1669-1670/2022 may be transmitted to the learned Single Judge.

4. We, accordingly, transmit I.A.No.40429/2022 in SLP(C)Nos.1669-1670/2022 to the learned Single Judge of the Delhi High Court to decide the same in accordance with law after hearing

learned counsel for the parties.

5. I.A.No.40429/2022 in SLP(C)Nos.1669-1670/2022 stands disposed of accordingly.

6. Vide order dated 04.04.2022, both the parties were directed to file a Joint Memo of Consent Terms by 05.04.2022.

7. In compliance of the said order, Joint Memo of Consent Terms have been filed by the parties.

8. Having heard learned senior counsel for the rival parties and on carefully perusing the Joint Memo of Consent Terms filed by the parties, we deem it appropriate to pass the following order by consent of the parties:

(a) Order dated 5th January, 2022 passed by a Division Bench of the High Court of Delhi in LPA No.6 of 2022 and CM Application No.569 of 2022 in LPA No.6 of 2022 and LPA No.7/2022 and CM Application No.572/2022 in LPA No.7/2022 is set aside.

(b) The parties will approach the Arbitral Tribunal to resume the Arbitration Proceedings, on an understanding that the Arbitral Tribunal will hear FRL's Termination Application and the Termination Application filed by respondent Nos.2 to 13 under Section 32(2)(c) of the Arbitration and Conciliation Act, 1996 in priority to other matters and pass orders.

(c) The Arbitral Tribunal may continue with the Arbitration Proceedings and conclude the hearings and pass an order or award as the case may be.

9. The appeals stand disposed of accordingly.

10. As a sequel to the above, pending interlocutory applications also stand disposed of.

.....CJI.
(N.V. RAMANA)

.....J.
(KRISHNA MURARI)

.....J.
(HIMA KOHLI)

NEW DELHI;
APRIL 06, 2022.

ITEM NO.17

COURT NO.1

SECTION XIV

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).1669-1670/2022

(Arising out of impugned final judgment and order dated 05-01-2022 in LPA No.6/2022 and CMA No. 569/2022 passed by the High Court of Delhi at New Delhi)

AMAZON.COM NV INVESTMENT HOLDINGS LLC

Petitioner(s)

VERSUS

FUTURE RETAIL LIMITED & ORS.

Respondent(s)

(IA No.16053/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.16056/2022-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 16053/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No.40429/2022 - GRANT OF INTERIM RELIEF

IA No.16056/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

SLP(C) Nos.1705-1706/2022 (XIV)

(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 16565/2022

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 16566/2022

IA No. 16565/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 16566/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 06-04-2022 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE KRISHNA MURARI

HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s)

Mr. Gopal Subramaniam, Sr.Adv.

Mr. Ranjit Kumar, Sr.Adv.

Mr. Aspi Chinoy, Sr.Adv.

Mr. Gourab Banerji, Sr.Adv.

Mr. Mukul Gupta, Sr.Adv.

Mr. Satish Parasaran, Sr.Adv.

Mr. Amit Sibal, Sr.Adv.

Mr. Nakul Dewan, Sr.Adv.

Mr. Abhijeet Sinha, Adv.

Mr. Anand S. Pathak, Adv.

Mr. Amit K. Mishra, Adv.
 Mr. Shashank Gautam, Adv.
 Mr. Vijay Purohit, Adv.
 Ms. Sreemoyee Deb, Adv.
 Mr. Mohit Singh, Adv.
 Ms. Devna Arora, Adv.
 Ms. Anubhuti Mishra, Adv.
 Mr. Shivam Pandey, Adv.
 Ms. Samridhi Hota, Adv.
 Ms. Didon Misri, Adv.
 Mr. Pratik Jhaveri, Adv.
 Ms. Nikita Bangera, Adv.
 Mr. Chetan Chawla, Adv.
 Mr. Faizan Mithaiwala, Adv.
 Mr. Vijayendra Pratap Singh, Adv.
 Mr. Rachit Bahl, Adv.
 Ms. Roopali Singh, Adv.
 Mr. Abhijnan Jha, Adv.
 Mr. Priyank Ladoia, Adv.
 Mr. Tanmay Sharma, Adv.
 Ms. Vanya Chhabra, Adv.
 Mr. Arnab Ray, Adv.
 Mr. Vedant Kapur, Adv.
 Mr. Shaurya Mittal, Adv.
 Mr. Abhisar Vidyarthi, Adv.
 Mr. Pawan Bhushan, Adv.
 Ms. Hima Lawrence, Adv.
 Ms. Ujwala Uppaluri, Adv.
 Mr. S.P. Mukherjee, Adv.
 Mr. T.S. Sundaram, Adv.
 Mr. Vinay Tripathi, Adv.
 Mr. Aishvary Vikram, Adv.
 Mr. Kaustubh Prakash, Adv.
 Ms. Anushka Shah, Adv.
 Ms. Neelu Mohan, Adv.
 Mr. Subhang Nair, Adv.
 Mr. N.Subramanian, Adv.

For Respondent(s)

Mr. Mukul Rohatgi, Sr.Adv.
 Mr. Dayan Krishnan, Sr.Adv.
 Mr. Mahesh Agarwal, Adv.
 Mr. Rishi Agrawala, Adv.
 Mr. Pranjit Bhattacharya, Adv.
 Mr. E. C. Agrawala, AOR

Mr. K.V. Viswanathan, Sr.Adv.
 Mr. Ritin Rai, Sr.Adv.
 Mr. Ameet Naik, Adv.
 Mr. Raghav Shankar, Adv.
 Ms. Madhu Gadodia, Adv.
 Mr. Abhishek Kale, Adv.
 Mr. Harshvardhan Jha, Adv.
 Mrs. Yugandhara Pawar Jha, AOR

Mr. Pankaj Patel, Adv.
Ms. Ritika Sinha, Adv.
Ms. Arshiya Sharda, Adv.
Ms. Dishti Rajain, Adv.

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

1. Leave granted.
2. We transmit I.A.No.40429/2022 in SLP(C)Nos.1669-1670/2022 to the learned Single Judge of the Delhi High Court to decide the same in accordance with law after hearing learned counsel for the parties.
3. I.A.No.40429/2022 in SLP(C)Nos.1669-1670/2022 stands disposed of accordingly.
4. The appeals stand disposed of in terms of the signed order.
5. As a sequel to the above, pending interlocutory applications also stand disposed of.

(SATISH KUMAR YADAV)
DEPUTY REGISTRAR

(R.S. NARAYANAN)
COURT MASTER (NSH)

(Signed order is placed on the file)