

No. S.C. Misc/2598/2017

Dated:- 08-06-2017

From

The Assistant Registrar  
Supreme Court Branch,  
High Court, Appellate Side,  
Bombay- 400 032

To,

The Registrar (General) ,  
Mumbai Centre for International Arbitration,  
20<sup>th</sup> Floor, Express Tower,  
Ramnath Goenka Marg,  
Nariman Point,  
Mumbai 400 021.

Subject:- Supreme Court Arbitration Case No. 33 of 2014

Sir,

I am directed to inform you that the Arbitration Petition above mentioned has been disposed of by the Hon'ble Supreme Court in terms of the signed order dated 03/05/2017. You are therefore requested to received a certified copy of the said order in Arbitration Petition 33 of 2014 and to take necessary action accordingly.

Yours faithfully,

*A. Vedag*

08/05/2017

Assistant Registrar,  
( Supreme Court Branch)  
High Court , A.S.

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

ARBITRATION CASE NO. 33 of 2014

SUN PHARMACEUTICAL INDUSTRIES LTD. MUMBAI

VERSUS

M/S FALMA ORGANICS LIMITED NIGERIA

Certified to be true copy  
Assistant Registrar (Judl.)

9-5-2017  
Supreme Court of India

Petitioner(s)

478709

Respondent(s)

O R D E R

We have heard learned counsel for the parties.

We are of the view that case for reference to Arbitrator is made out.

Accordingly we refer the matter to the Arbitration Centre at Mumbai to appoint an arbitrator for arbitration.

The arbitration case is disposed of accordingly.

The parties may appear before the said Arbitration Centre on Monday, the 10<sup>th</sup> July, 2017.

Pending application(s), if any, shall also stand disposed of.

..... Sd/- ..... J.  
(ADARSH KUMAR GOEL)

..... Sd/- ..... J.  
(UDAY UMESH LALIT)

New Delhi,  
MAY 3, 2017.

ITEM NO.7

COURT NO.13

SECTION XVIA

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Arbitration Case No(s). 33 of 2014

SUN PHARMACEUTICAL INDUSTRIES LTD. MUMBAI Petitioner(s)

VERSUS

M/S FALMA ORGANICS LIMITED NIGERIA Respondent(s)

(office report)

Date : 03/05/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL  
HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s) Ms. Sonali Jaitley Bakhshi, Adv.  
Mr. Jaiyesh Bakhshi, Adv.  
Mr. Shyam Kumar, Adv.  
Mr. Akshay Sharma, Adv.  
Mr. Shubhanshu Gupta, Adv.  
Ms. Sanya Kapoor, Adv.  
Mr. P. V. Yogeswaran, Adv.

For Respondent(s) Mr. V. N. Raghupathy, Adv.

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

In terms of the signed order, the arbitration case is  
disposed of.

(MAHABIR SINGH)  
COURT MASTER

(VEENA KHERA)  
COURT MASTER

(Signed order is placed on the file)

1(1-11)

IN THE SUPREME COURT OF INDIA  
ORIGINAL CIVIL JURISDICTION

ARBITRATION APPLICATION NO \_\_\_\_\_ OF 2014

(Under Section 11(6) of the Arbitration and Conciliation Act, 1996)

IN THE MATTER OF:

SUN PHARMACEUTICAL INDUSTRIES LTD.

*through General Manager, ASHOK I. BHUTA*

Acme Plaza, Andheri Kurla Road,  
Andheri (East), Mumbai – 400 059

.... APPLICANT

Versus

M/S. FALMA ORGANICS LIMITED

Having address at  
38/40, Burma Road, Apapa,  
Lagos, Nigeria. *through*

.... RESPONDENT

*its Managing Director* TO,

THE HON'BLE CHIEF JUSTICE OF INDIA AND  
HIS LORDSHIPS COMPANION JUSTICES OF  
THE HON'BLE SUPREME COURT OF INDIA

THE HUMBLE APPLICATION OF THE APPLICANTS ABOVENAMED

**MOST RESPECTFULLY SHEWETH:**

1. The applicant is filing the instant application u/s 11(6) of the Arbitration and Conciliation Act, 1996 for appointment of Arbitrator by this Hon'ble Court as it has become necessary to approach this Hon'ble Court for appointment of sole Arbitrator to adjudicate upon all the disputes between the parties relating to Distribution Agreement dated 05.04.2004/09.04.2004.
2. The Applicant is a company incorporated under the Companies Act 1956, having its address as mentioned in the cause title above. The Applicant is carrying on business as manufacture and sale of pharmaceutical products.
3. The Respondent carries on business of distribution of the Pharmaceuticals products and has its address as set out in the cause title above.
4. The present Application is being filed by the Applicants under Section 11(6) of the Arbitration and Conciliation Act, 1996 since disputes have arisen