

**NATIONAL COMPANY LAW TRIBUNAL
CHANDIGARH BENCH, CHANDIGARH**

**CA NO. 13/2016,
CA NO.13/2017&
CA NO.47/2017.**

IN

**CP NO. 128(ND)/2015
RT No.12/Chd/HP/2016**

M/s JST Transformateurs SAS

...Petitioner

Versus.

M/s JST Stesalit Transformers Pvt. Ltd. & Ors.

...Respondents


**Present:- Mr. Ashim Sood, Mr. Dhruv Sood and Mr.Rohan Mittal
Advocates for petitioner.
Mr. Puneet Singh Bindra, Mr. Raghav Mathur, Ms. Sonal Alagh
and Mr.Saurabh Dalal, Advocates for respondents No. 2 & 3.**

Prayer in CA No.47/2017 is for placing on record copy of the statement of defence filed by respondents before the Arbitral Tribunal. Copy of this application was supplied in advance to the counsel for respondents. Petitioner has attached Annexure 'A 1', copy of the statement of defence and counter-claim filed by the respondent No.2 in Arbitral Tribunal. It is submitted that before the Arbitral Tribunal, contention has been raised to oppose the jurisdiction Arbitral Tribunal on the ground of pendency of the instant petition. Prayer in CA No.47/2017 is also for dismissal of CA No.13/2017 filed by respondents under Section 45 of the Arbitration and Conciliation Act, 1996. The filing of aforesaid statement and defence before the Arbitral Tribunal is not disputed by the learned counsel for the respondents. Having heard learned counsel for the parties,



the application is disposed of and Annexure 'A 1' filed with CA No.47/2017 be taken on record. The question relating to merits of the application under Section 45 of the Arbitration and Conciliation Act, 1996 shall remain open.

Matter is fixed for 01.06.2017 for arguments on CA the Misc.
Application under section 45 of the Arbitration and Conciliation Act, 1996.



(Justice R.P. Nagrath)
Member (Judicial)

April 21, 2017
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