

ITEM NO.2

COURT NO.4

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).6460/2021

(Arising out of impugned final judgment and order dated 31-01-2020 in FA00S No. 133/2019 passed by the High Court of Delhi at New Delhi)

AMWAY INDIA ENTERPRISES PVT. LTD.

Petitioner(s)

VERSUS

AMAZON SELLER SERVICES PVT. LTD. & ORS.
(FOR ADMISSION and I.R.)

Respondent(s)

Date : 14-12-2021 This petition was called on for hearing today.

CORAM : HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE VIKRAM NATH

For Petitioner(s) Mr. Arvind P. Datar, Sr. Adv.
Ms. Priya Kumar, Adv.
Ms. Mohna, AOR
Mr. C.D. Mulherkar, Adv.
Mr. Shailabh Tiwari, Adv.

For Respondent(s) Mr. Mukul Rohatgi, Sr. Adv.
Mr. Neeraj Kishan Kaul, Sr. Adv.
Ms. Ruby Singh Ahuja, Adv.
Mr. Saikrishna Rajagopal, Adv.
Mr. Sidharth Chopra, Adv.
Mr. Shravan Sahny, Adv.
Ms. Sneha Jain, Adv.
Ms. Savni Endlaw, Adv.
Mr. Vasu Singh, Adv.
Mr. Devvrat Joshi, Adv.
Ms. Surabhi Pande, Adv.
Ms. Pritha Suri, Adv.
Ms. Ira Mahajan, Adv.
M/S. Karanjawala & Co.

Mr. Guru Krishnakumar, Sr. Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Rishi Agrawala, Adv.
Mr. Ankur Saigal, Adv.
Mr. Nischal Anand, Adv.
Ms. Sayree Basu Mullick, Adv.
Ms. Kamakshi Sehgal, Adv.
Ms. Tanvi Jain, Adv.

Mr. E. C. Agrawala, AOR

Mr. Aditya Verma, AOR

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

- 1 The Special Leave Petition arises from a judgment and order of a Division Bench of the High Court of Delhi dated 31 January 2020 by which an order of the Single Judge, on an application for interim relief pending the disposal of the suit, has been set aside.
- 2 The Special Leave Petition was instituted before this Court on 14 January 2021, nearly a year after the order of the Division Bench. It appears that it was moved on 22 November 2021, when it was directed to be posted on 13 December 2021.
- 3 Since the Special Leave Petition arises from an interlocutory order and, having regard to the time which has already elapsed since the impugned order of the Division Bench, there is evidently no grave urgency for this Court to enquire into the merits of the observations contained in the judgment of the Division Bench. However, both the Single Judge as well as the Division Bench have expressed findings on the merits of the rival contentions of the parties which, in our view, must not affect the trial of the suit. The trial shall proceed uninfluenced by any of the observations contained either in the order of the Single Judge or of the Division Bench.
- 4 In order to render an expeditious adjudication of the dispute, we request the Single Judge of the High Court to endeavour to dispose of the suit, preferably by 30 September 2022.
- 5 This Court has not expressed any view on the merits of the rival contentions of

the parties, which will be adjudicated upon at the trial of the suit.

- 6 Subject to the above clarification, the Special Leave Petition is disposed of.

(SANJAY KUMAR-I)
AR-CUM-PS

(SAROJ KUMARI GAUR)
COURT MASTER