THE DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS

IN THE COURT OF FIRST INSTANCE

BETWEEN

KIRTANLAL INTERNATIONAL DMCC

Claimant

and

(1) STATE BANK OF INDIA (DIFC BRANCH)
(2) JINGJIANG SPECIAL STEEL CO. LTD
(3) HUBEI XINYEGANG STEEL CO. LTD
(4) CITIC PACIFIC SPECIAL STEEL GROUP CO. LTD

Defendants

ORDER OF JUSTICE SIR JEREMY COOKE

UPON reviewing the Claimant's Application No. CFI-041-2022/2 dated 18 August 2023 (the "Stay Application") for a stay of the Claim and for an adjournment of the trial listed to commence on 18 September 2023 (the "Trial" and the "Trial Fixture")

UPON reviewing the Claimant's Application No. CFI-041-2022/4 dated 21 August 2023 seeking to extend the time to file the experts' reply reports (the "Extension Application")

AND UPON reviewing the First Defendant's evidence in answer to the Stay Application

AND UPON considering the Rules of the DIFC Court

AND UPON the Claimant confirming that it agrees to the trial bundle index circulated by the First Defendant by email on 22 August 2023 and that it agrees that the First Defendant should have conduct of the trial bundle

AND UPON the Second, Third and Fourth Defendant's Part 12 Application No. CFI-041-2022/3 dated 18 August 2023 seeking to set aside the Claim

AND UPON the Order of Justice Sir Jeremy Cooke dated 2 March 2023 (the "Order")

AND UPON hearing counsel for Claimant and counsel for the First Defendant at the PreTrial Review hearing held on 22 August 2023, together with Counsel for the Second to Fourth Defendants (the "Pre-Trial Review")

IT IS HEREBY ORDERED THAT:

Stay Application

1. The Stay Application is dismissed.

2. The Trial shall proceed in the Trial Fixture. It shall proceed against the First Defendant and not against the Second to Fourth Defendants.

3. The Claimant shall pay the First Defendant's costs of the Stay Application, to be assessed by the Registrar if not agreed.

Extension Application

4. Paragraph 14(e) of the Order shall be varied as follows:

"e. Reply reports, confined to areas of disagreement, shall be served by 4pm on 25 August 2023."

5. Costs of the Extension Application shall be costs in the case.

Costs of the Pre-Trial Review

6. The costs of the Pre-Trial Review shall otherwise be costs in the case.

Issued by:
Hayley Norton
Assistant Registrar
Date of Issue: 24 August 2023
At: 3pm