

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.2 OF 2016
IN
ARBITRATION APPEAL NO.3 OF 2016**

Malegaon Municipal Corporation Malegaon
through Commissioner, Malegaon .. Applicant
Vs.
Hariprasad Mohanlal Soni .. Respondent

**Along With
CIVIL APPLICATION NO.6 OF 2016
IN
ARBITRATION APPEAL NO.4 OF 2016**

Malegaon Municipal Corporation Malegaon
through Commissioner, Malegaon .. Applicant
Vs.
Ashish Agencies, a Proprietary concern
through its proprietor Ramnivas M.Soni .. Respondent

**Along With
CIVIL APPLICATION NO.4 OF 2016
IN
ARBITRATION APPEAL NO.5 OF 2016**

Malegaon Municipal Corporation Malegaon
through Commissioner, Malegaon .. Applicant
Vs.
Soni Medical Stores, Malegaon through
its Proprietor Haridayal Mohanlal Soni .. Respondent

Mr.Rahul Kate for the applicant.
Mr.R.D.Soni i/by Mr.S.V. Sonawane for the respondent.

**CORAM : R.D. DHANUKA, J.
DATE : 18th March 2016**

P.C.

. Rule, returnable forthwith. Mr.Soni, learned counsel
appearing for the respondent waives service.

2. Learned counsel for the applicant states that the applicant has already deposited some amount before the Executing Court. According to the learned counsel for the respondents, the amount deposited by the applicant before the Executing Court is not inclusive of the interest till the date of deposit.

3. The applicant is directed to deposit the balance amount in terms of the impugned award till the date of deposit in the Executing Court within six weeks from today. It is made clear that the impugned award is stayed only on the condition that the applicant deposits the balance amount within six weeks from today in the Executing Court. It is made clear that if the balance amount is not deposited within six weeks from today before the Executing Court, interim stay granted by this Court to stand vacated without further reference to the Court. If any application is made by the respondents for withdrawal of the said amount, the same would be considered on its own merits.

4. The Principal District Judge, Nashik is directed to transmit the records and proceedings of the arbitral proceedings which are stated to be before the Principal District Judge in this Court within four weeks from the date of communication of this order. The applicant is directed to convey this order to the Principal District Judge for compliance. Hearing of the appeal is expedited.

5. Civil applications are disposed of in aforesaid terms. No order as to costs.

R.D. DHANUKA, J.