

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 30 OF 2016
IN
ARBITRATION APPEAL NO. 39 OF 2015

M/s.ABB India Limited Applicant

VERSUS

M/s.Victor Switchgear Private Limited Respondent

Mr.Harshad Inamdar for the Applicant.

Mr.Sachin Shetye for the Respondent.

CORAM : R.D. DHANUKA, J.

DATED : 17th JUNE, 2016

P.C.

By this civil application, the applicant seeks further extension of time to deposit the awarded sum directed to be deposited by this court vide orders dated 4th May, 2016 and 15th April, 2016. The application for extension is vehemently opposed by the learned counsel for the respondent on the ground that inspite of the indulgence shown by this court twice, the applicant has not deposited the amount though the financial condition of the applicant is sound.

2. This court recorded the statement of the learned counsel for the applicant that the applicant was ready to deposit 75% of the awarded sum before the learned principle District Judge, Nashik. The impugned award in favour of the respondent is dated 18th December, 2014. In my view the applicant is unnecessarily delaying the appeal proceedings and is not depositing the mandatory deposit required under section 19 of Micro, Small and Medium Enterprises Development Act, 2006. In my view no further indulgence thus can be shown to the applicant. The application for extension of time is thus rejected. No order as to costs.

[R.D. DHANUKA, J.]