

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.24 OF 2014
IN
ARBITRATION APPEAL NO.19 OF 2014

Adlabs Entertainment Limited Applicant

Vs.

Bharat Lekhraj Harwani & Ors. Respondents

Mr. Chiraj Kamdar alongwith Mansi Nair, Ravi Suryawanshi, for
the Applicant.

None for the Respondents.

Coram : **Smt. R.P. SondurBaldota, J.**

Date : 16th September , 2016

P.C. :

1 This civil application is for interim stay of the
impugned order dtd. 12th April, 2013 passed by the learned
Arbitrator under Section 17 of the Arbitration and Conciliation
Act. The impugned order consists of two parts. By the first part,
the transaction of purchase between the applicant and
respondents no. 2 and 3 in relation to the land admeasuring 65
acres referred to the annexure M.O.U. dtd. 22nd April, 2008 is
made subject to the result of the arbitral proceedings and the

second part directs respondents no. 2 and 3 to jointly and severally furnish security in the sum of Rs.5.00 Crores in favour of respondent no.1, the original claimant in the form of bank guarantee of any nationalised bank operative during the pendency of the arbitral proceedings. Mr. Kamdar, the learned counsel appearing for the applicant states that the applicant is not affected by the second direction which is against respondents no.2 and 3. It are concerned only with the first direction making the transaction of purchase subject to the result of the arbitration proceedings.

2 The appeal was admitted on 25th September, 2014. Since then till now, there has not been any ad-interim order in favour of the applicant. The interim relief of stay of the first direction cannot be granted to the applicant since such a stay may render the arbitral proceedings infructuous. Hence, the Civil Application is dismissed.

(Smt. R.P. SondurBaldota, J.)