

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

CIVIL APPLICATION NO.35 OF 2016

ARBITRATION APPEAL NO.33 OF 2015

State of Maharashtra .. Applicant
Vs.
Patwardhan Infrastructure Pvt.Ltd. .. Respondent

Mr.Kuldeep Patil, Special Counsel a/w Ms.Poonam P. Bhosale for the
applicant-State.
Mr.Atul Rajadhyaksha, Senior Advocate a/w Mrs.Ujwala Kamat for the
respondent.

CORAM : R.D. DHANUKA, J.
DATE : 27th July 2016

P.C.

. By this civil application, the applicant seeks stay of the operation and implementation of the judgment and order dated 24th September 2014 passed by the learned District Judge in Arbitration Petition No.1 of 2012 as well as the impugned award dated 7th November 2012 passed by the arbitral tribunal. The Arbitration Petition No.33 of 2015 filed by the applicant herein has already been admitted by this Court on 20th November 2015.

2. The respondent has filed an execution application in view of there being no stay of the impugned judgment and order passed by the learned District Judge and of the impugned award rendered by the arbitral tribunal.

3. Upon hearing the learned counsel for the parties, I am of the view that the reliefs can be granted in favour of the applicant however on the condition that the applicant deposits the decretal amount in this Court within eight weeks. It is made clear that no further extension would be granted. It is also made clear that if the entire decretal amount is not deposited within the time prescribed, the respondent would be at liberty to execute the impugned award which is upheld in the impugned judgment and order passed by the learned District Judge. If any such amount is deposited by the applicant, the respondent would be at liberty to apply for withdrawal of the said amount by filing an appropriate application.

4. Civil application is disposed of in aforesaid terms. No order as to costs.

R.D. DHANUKA, J.