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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.272 OF 2016
IN
ARBITRATION PETITION NO.1370 OF 2014

WITH
ARBITRATION PETITION NO.1370 OF 2014

Mody Beverages Pvt. Ltd. ...Applicant

IN THE MATTER BETWEEN :

Parle Agro Pvt. Ltd. ...Petitioner

V/s.

Mody Beverages Pvt. Ltd. ...Respondent

Mr.Pradeep Sancheti, Senior Counsel with Mr.Ram Kakkar i/b ABZ & Partners for the Petitioner.

Mr.Zubin Behram-Kamdin with Mr.Nikhil Chandaria i/b M/s.K. Ashar & Co. for the Respondent / Applicant in Notice of Motion.

CORAM : R.D. DHANUKA, J.
DATE : 31ST MARCH, 2016.

P.C. :-

1. By this notice of motion the applicant (original respondent) seeks an order and direction against the petitioner to deposit the awarded sum with interest with liberty to withdraw the sum if deposited. By an order dated 21st April, 2015, this Court has admitted the arbitration petition and has expedited the hearing of the arbitration

petition. Affidavit in reply has already been filed by the respondent. Learned senior counsel appearing for the petitioner tenders affidavit in re-joinder.

2. There is no dispute that the parties have already filed compilation of pleadings, documents and evidence. Place the arbitration on board for hearing and final disposal in the week commencing from 13th June, 2016.

3. Since there was an automatic stay in view of the petition already having been filed within three months from the date of the receipt of the signed copy of the award, no order of deposit of the amount can be made in this notice of motion.

4. The notice of motion is accordingly disposed of in aforesaid terms. No order as to costs.

(R.D. DHANUKA, J.)