

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

HON'BLE SRI JUSTICE G.SHYAM PRASAD

CRP.Nos.4283 & 4284 of 2016

Date:06.9.2016

CRP.No.4283 of 2016

**Between:**

M/s Bharat Heavy Electricals Limited,  
Bangalore and another.

..... Petitioner

**And:**

M/s Costal Projects Limited,  
Hyderabad, repto by its Authorized  
Signatory-G.Hari Hara Rao and two others.

...Respondents

AND

CRP.No.4284 of 2016

**Between:**

M/s Bharat Heavy Electricals Limited,  
Bangalore and another.

..... Petitioner

**And:**

M/s Costal Projects Limited,  
Hyderabad, repto by its Authorized  
Signatory-G.Hari Hara Rao and another.

...Respondents

Counsel for the petitioner: Mr. P.Rajasekhar

Counsel for the respondents: None appeared

The Court made the following:

COMMON ORDER: *(per Hon'ble Sri Justice C.V.Nagarjuna Reddy)*

Feeling aggrieved by non-disposal of Arbitration O.P.Nos.159 and 265 of 2015 by the learned Chief Judge, City Civil Court, Hyderabad, respondent Nos.1 and 2 in the said O.Ps have filed these Civil Revision Petitions under Article-227 of the Constitution of India.

A perusal of the record shows that respondent No.1 has filed the afore-mentioned O.Ps under Section-9 of the Arbitration and Conciliation Act, 1996 for injunction restraining the petitioners herein from invoking or encashing the bank guarantees furnished by respondent No.1 unless and until the disputes are settled between the parties through arbitration. By order, dated 06.02.2015, the lower Court has granted injunction order till disposal of the said O.Ps.

The petitioners averred that the lower Court is not disposing of the afore-mentioned O.Ps and it has even dismissed the petitions filed for advancement of the said cases.

In our opinion, when the lower Court has stayed the encashment of the bank guarantees, it is obligatory on its part to dispose of the afore-mentioned O.Ps as expeditiously as possible. As the lower Court has failed to do so, it is directed to dispose of Arbitration O.P.Nos.159 and 265 of 2015 as early as possible,

and, not later than two months from the date of receipt of a copy of this order.

The Civil Revision Petitions are, accordingly, disposed of

As a sequel to disposal of the Civil Revision Petitions, CRPMP.No.5583 and 5584 of 2016 filed by the petitioners for interim relief are disposed of as infructuous.

---

*JUSTICE C.V.NAGARJUNA REDDY*

---

*JUSTICE G.SHYAM PRASAD*

*06<sup>th</sup> September 2016*

*DR*

