

psv

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

**NOTICE OF MOTION NO.1053 OF 2016  
IN  
APPEAL NO.320 OF 2015  
IN  
CHAMBER SUMMONS NO.243 OF 2014  
IN  
EXECUTION APPLICATION (L.) NO.1036 OF 2013  
IN  
ARBITRATION AWARD DATED 12<sup>th</sup> JULY 2010**

|                                 |                |
|---------------------------------|----------------|
| Chetan Surendra Dalal           | ...Applicant   |
| In the matter between           |                |
| Chetan Surendra Dalal           | ...Appellant   |
| Vs.                             |                |
| Mr.Bharat Kantilal Dalal & Ors. | ...Respondents |

-----

**WITH  
NOTICE OF MOTION NO.1052 OF 2016  
IN  
APPEAL NO.372 OF 2015**

|                                 |                |
|---------------------------------|----------------|
| Chetan Surendra Dalal           | ...Applicant   |
| Vs.                             |                |
| Mr.Bharat Kantilal Dalal & Ors. | ...Respondents |

-----

Mr.Haresh Jagtiani, Senior Advocate, with Mr.Yashpal Jain, Ms.Vandana Mehta, Mr.Ryan Mendes, Ms.Dhruti Chheda i/b Yashpal Jain for Appellant.  
Mr.Karl Jamboly with Mr.Hormuz Mehta, Mr.Yohaana Limathwalla, Mr.Jehangiri Vakil i/b. J.Sagar Associates for Respondent No.1.

-----

**CORAM : NARESH H. PATIL AND  
G.S. KULKARNI, JJ.**

**DATE : 6<sup>th</sup> MARCH 2018**

**P.C.:**

1. Applicant to carry out amendment as per orders dated 14<sup>th</sup> August 2017 and 26<sup>th</sup> February 2018.
2. We have heard the learned Senior Counsel for the applicant and the learned counsel for the respondent.
3. Considering the grounds of appeal and the submissions advanced, we have admitted the appeals. The learned Senior Counsel prays for interim relief as execution proceedings are already initiated by the respondent. It is submitted that if the execution proceedings are allowed to be proceeded with, then the purpose of filing of appeals will get frustrated.
4. We are prima facie convinced that pending hearing and final disposal of the appeals, operation of the impugned order dated 18/12/2014 is required to be stayed and suspended.

**O R D E R**

Pending the hearing and final disposal of the appeals, operation of the impugned order dated 18<sup>th</sup> December 2014 is stayed.

5. Both Notices of Motion are allowed accordingly.

**[G.S. KULKARNI, J.]**

**[NARESH H. PATIL, J.]**