

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 12th 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.Yohaán Limathwalla,
Mr.Jehangiri Vakil i/b. J.Sagar Associates for Respondent No.1.

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

DATE : 6th MARCH 2018

P.C.:

1. Applicant to carry out amendment as per orders dated 14th August 2017 and 26th 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 18th December 2014 is stayed.

5. Both Notices of Motion are allowed accordingly.

[G.S. KULKARNI, J.]

[NARESH H. PATIL, J.]