

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION (L) NO.1369 OF 2018
IN
ARBITRATION PETITION NO.56 OF 2018**

Sumer Infrastructure Pvt. Ltd. ... Petitioner
versus
Sharad H. Shah ... Respondent

**WITH
NOTICE OF MOTION (L) NO.1370 OF 2018
IN
ARBITRATION PETITION NO.221 OF 2018**

Sumer Infrastructure Pvt. Ltd. ... Petitioner
versus
Asphalt India Corporation ... Respondent

**WITH
NOTICE OF MOTION (L) NO.1371 OF 2018
IN
ARBITRATION PETITION NO.66 OF 2018**

Sumer Infrastructure Pvt. Ltd. ... Petitioner
versus
Vijay Ladhani ... Respondent

**WITH
NOTICE OF MOTION (L) NO.1372 OF 2018
IN
ARBITRATION PETITION NO.54 OF 2018**

Sumer Infrastructure Pvt. Ltd. ... Petitioner
versus
Ratan Singh M Rathod ... Respondent

**WITH
NOTICE OF MOTION (L) NO.1373 OF 2018
IN
ARBITRATION PETITION NO.57 OF 2018**

Sumer Infrastructure Pvt. Ltd. ... Petitioner
versus

Amratlal Jain @ Amritlal Shah ... Respondent

**WITH
NOTICE OF MOTION (L) NO.1374 OF 2018
IN
ARBITRATION PETITION NO.70 OF 2018**

Sumer Infrastructure Pvt. Ltd. ... Petitioner

versus

Mangal Singh M. Rathod ... Respondent

**WITH
NOTICE OF MOTION (L) NO.1375 OF 2018
IN
ARBITRATION PETITION NO.58 OF 2018**

Sumer Infrastructure Pvt. Ltd. ... Petitioner

versus

Konark Structural Engineering Pvt. Ltd. ... Respondent

**WITH
NOTICE OF MOTION (L) NO.1377 OF 2018
IN
ARBITRATION PETITION NO.55 OF 2018**

Sumer Infrastructure Pvt. Ltd. ... Petitioner

versus

Pragati Enterprises ... Respondent

**WITH
NOTICE OF MOTION (L) NO.1378 OF 2018
IN
ARBITRATION PETITION NO.59 OF 2018**

Sumer Infrastructure Pvt. Ltd. ... Petitioner

versus

Tarla R. Shah, Prop. Of K.R.Construction ... Respondent

**WITH
NOTICE OF MOTION (L) NO.1382 OF 2018
IN
ARBITRATION PETITION NO.71 OF 2018**

Sumer Infrastructure Pvt. Ltd. ... Petitioner

versus

J.P.Enterprises

... Respondent

Ms. Monisha Mane Bhangale with Ms. Warisha Parkar M/s. Juris Corp, for Applicant/Petitioner.

Ms. Prachi Khandge I/by M/s. M.P.Vashi Associates, for Respondent.

CORAM: S.J. KATHAWALLA, J.

DATE: 12th SEPTEMBER, 2018

P.C.:

1. By an order dated 20th April, 2018, this Court (Coram : R.D.Dhanuka, J.) stayed the Award dated 14th August, 2017 subject to the Applicant depositing 50% of the Awarded sum, excluding pre-reference period interest, within six weeks from the date of the order. It was also made clear that no further extension of time shall be granted and if the said amount is not deposited within the time prescribed, the interim stay granted by the Court would stand vacated without further reference to the Court.

2. The Petitioner/Applicant failed to comply with the said order passed by Justice R.D. Dhanuka dated 20th April, 2018 and on 8th June, 2018 took out the above Notice of Motion seeking extension of time by four weeks from the date of the Applicant having taken out the above Notice of Motion. Apart from the fact that Justice R.D. Dhanuka had in his Order dated 20th April, 2018 made it clear that no extension of time will be granted to deposit the amount as granted and if the amount as directed is not deposited, the interim stay granted would stand vacated without further reference to this Court, even after taking out the above Notice of Motion seeking four

weeks extension from 11th June, 2018, to comply with the directions of Justice R.D. Dhanuka, the directions passed by Justice Dhanuka are not complied with till date. In view thereof, the above Notice of Motion has become infructuous and is disposed of as such.

(S.J.KATHAWALLA,J.)