

***IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

*** HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN
AND**

*** HON'BLE MS. JUSTICE J. UMA DEVI**

+Civil Revision Petition No.5999 of 2018

Date: 30-10-2018

#Between:

K. Venugopal, S/o K. Somanjaiah, aged about 39 years,
Occ: Private Employee, resident of H.No.6-4-151,
Saibaba Nagar, Katedan, Rajendranagar, Ranga Reddy
District and 2 others

... Petitioners

And

M/s. Shriram City Union Finance Limited, having its
Branch Office at Secunderabad, represented by its
GPA Holder Y.N. Chary, S/o Y. Narayana, aged
About 46 years, Authorised Regional Manager,

... Respondent

! Counsel for the Petitioner : Mr. P. Ravi Shankar

^ Counsel for 1st Respondent : None Appeared

<GIST:

> HEAD NOTE:

? Cases referred

HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN

AND

HON'BLE MS. JUSTICE J. UMA DEVI

Civil Revision Petition No.5999 of 2018

ORDER: (per V. Ramasubramanian,J)

Contending that the arbitration proceedings were initiated long before 2015 amendment to the Arbitration and Conciliation Act, 1996 and that therefore, the mere filing of a petition under Section 34 of the Act would operate as stay, the award debtors has come up with the above revisions challenging the notice received from the Executing Court.

2. Heard Mr. P. Ravi Shankar, learned counsel for the petitioner.

3. The Supreme Court has settled the law on the point in **BCCI v. Kochi Cricket Pvt Ltd.**,¹ as to the effect of the amendment to Section 36 (2) of the Act. The Court has held that the amendment would apply even to the arbitration awards passed before the amendment. Therefore, the only course of action open to the petitioner is to move a stay application in the pending O.P.

With the above liberty, the Civil Revision Petition is dismissed. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

V. RAMASUBRAMANIAN, J

J. UMA DEVI, J

Date: 30-10-2018

Ksn

¹ 2018 (4) Scale 502