

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WP227 No. 534 of 2019**

Saleem Memon, S/o Jumma Mohammad Memon, aged about 36 years, R/o Jamnipali Quarter No. B/861, Kaveri Vihar, Korba, Chhattisgarh.

---- Petitioner

Versus

1. M/s Mahindra and Mahindra Financial Services Limited, Having its registered office at gateway building Apollo Bunder, Mumbai Having its corporate office at Sadhana House, 2nd Floor, 570, P.B. Marg, Behind Mahindra Towers, Worli, Mumbai – 400018.
2. Jumma Mohammad Memon, aged about 58 years, R/o Jamnipali Quarter No. B/861, Kaveri Vihar, Korba, Chhattisgarh.
3. Kesar Swami, R/o Mission Road, Ratakhar, Korba, Chhattisgarh.

---Respondents

For Petitioners : Mr. Dhiraj Kumar Wankhede, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****05.07.2019**

1. Learned counsel for the petitioner submits that the learned trial Court is proceeding in an execution proceeding to execute the arbitral award dated 06/09/2012, however against the arbitral award, petitioner preferred an application under Section 34 of Arbitration and Conciliation Act which is pending consideration before learned District Judge, Korba since 27/04/2019 and the petitioner has also filed I.A. No. 1, application for grant of stay, which is also pending consideration and therefore, it may be directed to hear and decide them expeditiously.

2. Be that as it may, learned District Judge, Korba is directed to consider and decide petitioner's application for grant of stay preferred with the application under Section 34 of Arbitration and Conciliation Act expeditiously, preferably within a period of three weeks' from the date of receipt of certified copy of this order and till the decision is taken by the learned trial Court, the effect and operation of the warrant issued for attachment of property against the petitioner on 09/05/2019 shall remain stayed for a period of three weeks.
3. With the aforesaid observations, this writ petition stands disposed of. However, respondents are at liberty to file an application for modification of this order, if any.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge