

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ARBITRATION APPLICATION NO.5 OF 2019

ABDUL HAFEEZ MOHAMMED YOUSUF
VERSUS
GENERAL MANAGER SOUTH CENTRAL RAILWAY, SCRS HQ
SECUNDERABAD RAILWAY STATION.

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Advocate for the Applicant : Shri Quadri Taher Ali
Advocate for the Respondents 1 and 2 : Shri Navandar Manish N.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 16th April, 2019

Per Court:

1 This matter was heard at length on 10.04.2019 and was posted today for passing orders.

2 The learned Advocate for the Applicant submits, on instructions, that he is unable to pay the licence fees for renewal of his licence. He submits that he is in very difficult financial condition and cannot pay even 50% of the licence fees. He, therefore, makes a statement that if there are any unpaid amounts constituting dues, the same may be adjusted as against the security deposit, which is about Rs.1.75 lac and electricity deposit Rs.1.85 lac, that is around Rs.3.60 lac and rest of the amount then be returned to the Applicant. Thereafter, the Applicant would collect all his belongings and equipments and surrender the shop to

the Respondent.

3 In view of the above, this Arbitration Application is disposed off with the following observations :-

- (a) The Respondent shall adjust the dues/ unpaid amounts as against the security and electricity deposits held by it.
- (b) If the dues are less than such security deposit, the residual amount shall be repaid to the Applicant by the banker's cheque or any approved mode of payment as per the policy of the Respondent, on or before 31.05.2019.
- (c) If the dues are more than the security deposit, the Applicant would be intimated of such details of calculations and he shall pay the residual amount, on or before 15.06.2019.
- (d) If the dues are adjusted from the security deposit and the residual amount is paid to the Applicant as directed above, he shall remove his belongings and equipments from the shop location and surrender the shop to the Respondent, on or before 15.06.2019.