

JPP

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION***

NOTICE OF MOTION NO. 174 OF 2019

in

APPEAL NO. 126 OF 2006

in

ARBITRATION PETITION NO. 309 OF 2004

Jatin Pratap Desai

... Applicant

IN THE MATTER BETWEEN

Jatin Pratap Desai

...Appellant.

V/s.

A.C. Chokshi Share Broker Pvt. Ltd. & Anr. ... Respondents.

Mr. Simil Purohit I/b. Purohit & Co. for the Applicant/Appellant.

Mr. Tushar Bhavsar a/w. Mr. Jayant Gaikwad I/b. Ajay Khandhar & Co. for Respondent No.1.

***CORAM : NARESH H. PATIL,C.J. &
N.M. JAMDAR, J.***

DATE : 5 MARCH 2019.

P.C. :-

Heard the learned Counsel for the parties. Perused the Application.

2. It is submitted by the learned Counsel for the Applicant that the stay be granted to the execution of the Award in respect of two flats, for which warrant of attachment is issued and the sale proclamation is going to be issued.

3. Having considered the facts and circumstances, we direct that if the Respondent Nos. 1 and 2 deposits 50% of the awarded sum of Rs.1,18,48,069.00 (Rupees One Crore Eighteen Lakhs Forty Eight Thousand and Sixty Nine only), and furnishes Bank Guarantee of a nationalized bank in respect of the remaining 50% of the amount to the satisfaction of the Prothonotary and Senior Master, Original Side, High Court, Bombay, within two weeks from today, then no further steps shall be taken during the pendency of the Appeal.

4. The Notice of Motion stands disposed of.

N.M. JAMDAR, J.

CHIEF JUSTICE