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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION

NOTICE OF MOTION LODGING) NO.1592 OF 2019
IN
COMMERCIAL ARBITRATION PETITION (LDG.) NO.117 OF 2019

Maharashtra State Electricity
Transmission Company Limited ...Applicant

IN THE MATTER BETWEEN :

Maharashtra State Electricity
Transmission Company Limited ...Petitioner

V/s.

Lustre Engineering Corpn. & Anr. ...Respondents

Mr.Abhijeet Desai I/b M/s.Desai Legal for the Applicant / Petitioner.

Mr.Nigel Qureshy with Ms.Sonam Kotak & Mr.Krishnan Dushyant
Harsh G. for the Respondent No.1.

Mr.M.V. Ramteke, Additional Executive Engineer, EHV Lines Project,
Sib-Division, Kalwa present.

CORAM : R.D. DHANUKA, J.

DATE : 25TH JULY, 2019.

P.C. :-

1. Heard learned counsel for the parties on the issue of computation of 25% of the amount required to be deposited by the petitioner under section 19 of the Micro, Small and Medium Enterprises Development Act, 2006.

2. By an order dated 17th July, 2019 passed by this Court, the

petitioner had rendered an undertaking to this Court to deposit an amount of Rs.6,18,925.20 ps. which according to the petitioner would amount to 75% of the awarded amount within eight weeks from the date of the said order.

3. The Chartered Accountant appointed by this Court by an order dated 1st March, 2019 has determined the amount of 75% i.e. Rs.15,27,24,952/- required to be deposited under section 19 of the said Act.

4. The report submitted by the Chartered Accountant dated 22nd April, 2019 is accepted. The petitioner is required to deposit 75% of the total amount awarded calculated as on 31st March, 2019 i.e. Rs.15,27,24,952/-. Out of this sum, the petitioner has already undertaken to deposit a sum of Rs.6,18,925.20 ps. within eight weeks from the date of the said order dated 17th July, 2019.

5. The petitioner is directed to deposit the balance amount in this Court within eight weeks from today. The petitioner shall inform the date of deposit with proof to the learned counsel for the respondent no.1 within three days from the date of such deposit.

6. The Chartered Accountant appointed by this Court has submitted its bill for the professional fees dated 11th April, 2019 in the sum of Rs.1,77,000/-. The respondent no.1 has already paid its contribution . Mr.Desai, learned counsel appearing for the petitioner

undertakes that his client would pay 50% contribution towards its share out of the total amount of Rs.1,77,000/- within one week from today. The undertaking is accepted. That amount would be paid directly to the Chartered Accountant.

6. The notice of motion is disposed of on aforesaid terms. There shall be no order as to costs.

(R.D. DHANUKA, J.)