

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

ARBITRATION PETITION NO.1699 OF 2014

Nuclear Power Corporation of India Ltd.	...	Petitioner
Versus		
M/s. Welclean Touch, a proprietary concern	...	Respondent

Ms. Neeta Jain i/b Rajesh Kothari & Co. for the Petitioner.
Ms. Snehal Jadhav for the Respondent.
Mr. S. Venugopal, Deputy General Manager (Legal) of the Petitioner-
Corporation present in person.

CORAM : S.C. GUPTE, J.

DATE : 4 FEBRUARY 2019

P. C. :

. After the matter is heard fully, learned Counsel of both parties inform the court that this court may, on the basis of the record placed before it, determine the area, for which cleaning work was accomplished by the Respondent and accordingly read down the award, so far as Claim Nos.1, 6 and 7 are concerned. Learned Counsel also agree that no reason need be given for such reading down of the award. Considering the material placed before this court and which forms part of the record and proceedings before the arbitral forum, this court holds that a total quantity of about 10,000 sq. meters should be treated as the total area for which cleaning work was carried out by the Respondent for a period of seven days on the basis of average rate of about 1500 sq. meters per day. Applying the contractual rate of Rs.98/- per sq. meter, the total amount

payable under Claim No.1 is worked out to Rs.9,80,000/-. The award on claim No.1 stands modified accordingly. As for the award on Claim Nos.6 and 7, so far as interest on Claim No.1 (i.e. on the award which has been modified as indicated above) is concerned, simple interest at the rate of 9 per cent per annum shall have to be paid by the Petitioner only for post award period and not for the pre-reference or *pendente lite* period. The award on Claim Nos.6 and 7 also stands modified to that extent. Rest of the award is sustained. This order is passed in the presence of Mr. S. Venugopal, Deputy General Manager (Legal) of the Petitioner-corporation. The arbitration petition is disposed of in the above terms.

(S.C. GUPTE, J.)