

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

**NOTICE OF MOTION (L) NO. 1987 OF 2019
IN
COMM.ARBITRATION PETITION (L) NO. 540 OF 2019**

**ALONGWITH
COMM.ARBITRATION PETITION (L) NO. 540 OF 2019**

Bharat Petroleum Corporation Ltd. Applicant

IN THE MATTER OF

Bharat Petroleum Corporation Ltd. Petitioner

VERSUS

Ace Pipeline Contracts Pvt. Ltd. Respondent

**ALONGWITH
COMM.ARBITRATION PETITION (L) NO. 483 OF 2019**

Ace Pipeline Contracts Pvt. Ltd. Petitioner

VERSUS

Bharat Petroleum Corporation Ltd. Respondent

Mr.Shivprasad R. Page for the Petitioner/Applicant in NMCDL/1987/2019 and for the Respondent in CARBP/483/2019.

Mr.Aziz Khan, a/w. Mr.Anish Ramchandani, i/b. M/s.Divya Shah Associates for the Petitioner in CARBP/483/2019 and for the Respondent in CARBPL/540/2019.

No records and proceedings of CARBP/483/2019.

CORAM : R.D. DHANUKA, J.

DATE : 18th SEPTEMBER, 2019

P.C.

Comm.Arbitration Petition (L) No. 540 of 2019 and

Comm.Arbitration Petition No. 483 of 2019 not on board. Taken on Board.

2. By this notice of motion, the applicant seeks stay of the impugned award dated 12th November, 2018 alongwith corrected impugned arbitral award dated 11th January,2019.

3. Mr.Page, learned counsel for the applicant states that the applicant is ready and willing to comply with the terms and conditions of the Standard Operating Procedure for release of the payments to the contractors.

4. Learned counsel appearing for the respondent however states that his client is not agreeable to the terms and conditions setout in the said Standard Operating Procedure and has no objection if the impugned award is stayed. He however prays that hearing of the arbitration petition may be expedited. Statement is accepted.

5. Notice of motion is accordingly made absolute in terms of prayer clause (a). There shall be no order as to costs.

6. Hearing of the arbitration petition is expedited.

7. Affidavit in reply, if any, shall be filed within two weeks from today in the arbitration petition with a copy thereof to be served upon the applicant's advocate simultaneously. Rejoinder, if any, shall be filed within one week thereafter with a copy to be served upon the respondent's advocate simultaneously.

8. Hearing of the CARBP/483/2019 is also expedited.
9. CARBP/483/2019 to be heard alongwith CARPBL/540/2019.
10. Time to file compilation of the documents is extended by six weeks from today.

[R.D.DHANUKA, J.]