

HIGH COURT FOR THE STATE OF TELANGANA

**THE HON'BLE THE CHIEF JUSTICE RAGHVENDRA SINGH CHAUHAN
AND**

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

C.R.P.No.1748 of 2019

Date: 26.07.2019

Between:

M/s. Bharat Sanchar Nigam Limited

...Petitioner

and

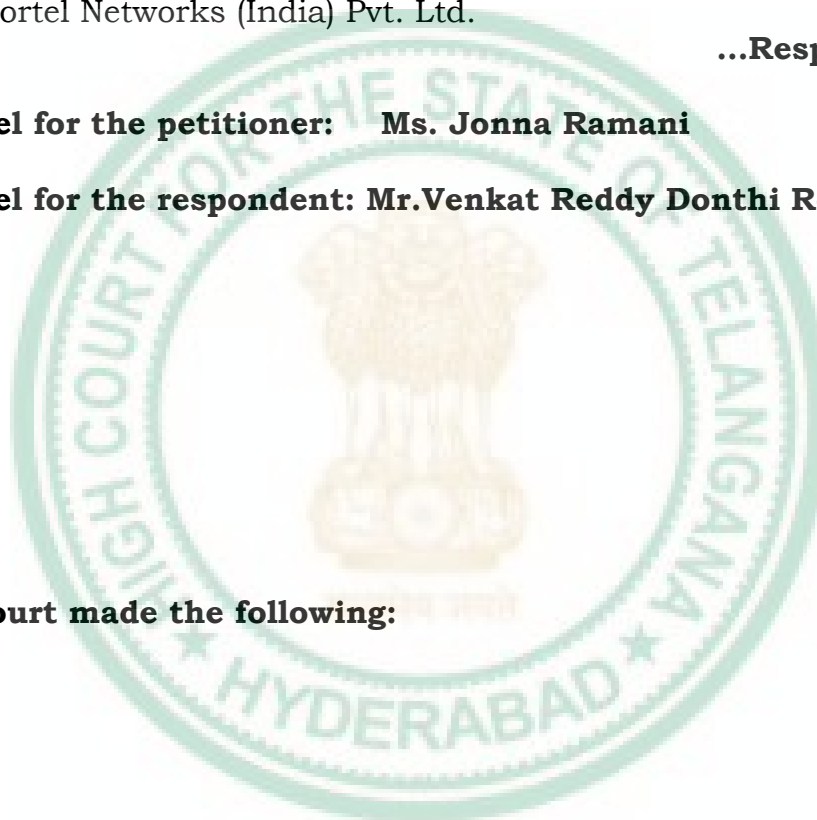
M/s. Nortel Networks (India) Pvt. Ltd.

...Respondent

Counsel for the petitioner: Ms. Jonna Ramani

Counsel for the respondent: Mr.Venkat Reddy Donthi Reddy

The Court made the following:



ORDER: *(per the Hon'ble the Chief Justice Sri Raghvendra Singh Chauhan)*

M/s. Bharat Sanchar Nigam Limited ('the BSNL', for short), the petitioner, has challenged the legality of the order dated 02.05.2019, passed by the III Additional Chief Judge, City Civil Court, Hyderabad, in I.A.No.545 of 2019 in Arb.O.P.No.2419 of 2018, whereby the learned Judge, while staying further proceedings of the award dated 09.07.2018, has directed the petitioner to deposit 50% of the award amount i.e., 50% of Rs.59,89,500/-.

The learned counsel for the petitioner submits that the direction to deposit 50% of the award amount is on the higher side. Therefore, the impugned order should be modified by this Court: this Court should direct the petitioner to deposit only 25% of the award amount.

On the other hand, the learned counsel for the respondent has vehemently opposed the stand being taken by the petitioner. According to the learned counsel, the petitioner has sufficient funds to deposit 50% of the award amount.

Considering the fact that the petitioner, the BSNL, is a public sector undertaking, obviously, it has sufficient funds to deposit 50% of the award amount. Moreover, considering the fact that the award amount tantamounts to a money decree, it is the normal practice of the Court that while staying operation of the award, 50% of the award amount is directed to be deposited. Therefore, the learned Judge has not deviated from the normal practice. Hence, this Court does not find any illegality or perversity in the impugned order.

The learned counsel for the petitioner seeks some time for depositing 50% of the award amount. The petitioner is directed to deposit the award amount positively by 31.08.2019.

With these directions, the Civil Revision Petition stands disposed of. There shall be no order as to costs.

As a sequel, miscellaneous petitions, pending if any, shall stand closed.

(RAGHVENDRA SINGH CHAUHAN, CJ)

(Dr. SHAMEEM AKTHER, J)

Date: 26.07.2019
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