

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.7315 OF 2020

IN

ARBITRATION APPEAL NO.11 OF 2016

(Shinde and Sons (Engineer and Contractors) through its Partner Sitaram
Budhajirao Shinde Vs. Godawari Marathwada Irrigation Development
Corporation and others)

AND

CIVIL APPLICATION NO.7312 OF 2020

IN

ARBITRATION APPEAL NO.15 OF 2016

(Tripathi and Company (Engineer and Contractors) through its Partner
Pradeep Radheshyam Tripathi Vs. Godawari Marathwada Irrigation
Development Corporation through its Executive Engineer)

Mr. J.N. Singh, Advocate for the applicants

Mr. S.K. Tambe, A.G.P for the respondent/State

Mr. B.R. Surwase, Advocate for respondent No.1 (orig. appellant)

CORAM : MANGESH S. PATIL, J.

DATE : 17.12.2020

PER COURT :

In these appeals under Section 37 of the Arbitration and Conciliation Act, 1996, the appellant-Corporation has deposited an amount of Rs.Two Crores in Arbitration Appeal No.11/2016 and Rs.50 Lakhs in Arbitration Appeal No.15/2016.

2. By way of these applications, the original respondents are now seeking to withdraw the money.

3. Since these are the matters arising out of arbitration proceedings and the appellant-Corporation has deposited the money pursuant to the awards passed by the Arbitral Tribunal and taking note of the fact that in fact, going by the awards, the amounts would be in several crores, the request of the applicants/respondents to withdraw the amount deserves to be accepted.

4. The applications are allowed. The amounts deposited in the Arbitration Appeal Nos.11/2016 and 15/2016 by the appellant-Corporation, with accrued interest, shall be paid to the applicants/respondents, subject to furnishing security to the satisfaction of the Registrar (Judicial) of this Court.

5. The applications are disposed of.

[MANGESH S. PATIL]
JUDGE

