

**THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO
AND
THE HON'BLE SRI JUSTICE T.AMARNATH GOUD**

CRP.No.288 of 2020

ORDER :

1. This Revision is filed challenging the order dt.08.11.2019 in IA.No.1263 of 2017 in OP.No.2849 of 2017 of the X Additional Chief Judge, City Civil Court, Hyderabad.

2. There is a dispute between the petitioner and the 1st respondent, which was referred to the 4th respondent-Arbitrator, who rendered an Award on 10.06.2017.

3. The said Award was questioned by the petitioner in OP.No.2849 of 2017 invoking Section 39 of the Arbitration and Conciliation Act, 1996.

4. Pending the said OP., petitioner filed I.A.No.1263 of 2017 seeking stay of execution of the arbitral award.

5. On 08.11.2019, the Court below granted stay of execution of the said award on condition of deposit of 40% of the amount awarded by the Arbitrator within two months from 08.11.2019 and imposed a default clause.

6. Assailing the same, this Revision is filed.

7. Counsel for the petitioner contends that there is a grave error in the arbitral award and the Court below ought not to have imposed an onerous condition of deposit of 40% of the awarded

amount as a condition for grant of stay of execution of the arbitral award.

8. We have perused the order passed by the Court below and we are satisfied that the condition of deposit of 40% of the awarded amount as a condition for grant of stay of execution of the arbitral award does not suffer from any error of jurisdiction warranting interference of this Court in exercise of its power under Article 227 of the Constitution of India.

9. Therefore, this Civil Revision Petition is dismissed. However, the petitioner is granted two more weeks from today to comply with the order dt.08.11.2019 passed by the Court below. In default of such compliance, the stay of execution of the arbitral award granted by the Court below shall stand vacated. No order as to costs.

10. Consequently, Miscellaneous Petitions pending if any, shall stand closed.

M.S. RAMACHANDRA RAO, J

T.AMARNATH GOUD, J

11th February, 2020.

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