

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

117 WRIT PETITION NO.8184 OF 2021

SUSHIL LALCHAND POPALI

VERSUS

THE UNION OF INDIA AND ANOTHER

...

Advocate for Petitioner: Mr. Vikrant P. Raje

Standing Counsel for Respondent No. 1:

Mr. Bhushan Kulkarni

Advocate for Respondent No. 2: Mr. D. S. Manorkar

...

**CORAM: S. V. GANGAPURWALA &
R. N. LADDHA, JJ.**

DATE: 15th NOVEMBER, 2021

PER COURT:

1. We have heard Mr. Raje, learned Counsel for the Petitioner and Mr. Manorkar, learned Counsel for Respondent No. 2.

2. After the award is passed by the Arbitrator, the Acquiring Body had moved the District Judge under Section 34 of the Arbitration and Conciliation Act, 1996. The District Judge dismissed the Application U/Sec. 34 of the Arbitration and Conciliation Act, 1996. Aggrieved thereby, the Acquiring Body has filed Appeal

before this court under Section 37 of the Arbitration and Conciliation Act, 1996.

3. In the present Writ Petition, the Petitioner / Claimant seek direction against the Respondents to deposit the amount.

4. In the present matter, the matter is now pending before this Court exercising first appellate jurisdiction. The Petitioner can make request before the Court where the Appeals filed by the Acquiring Body are pending for directions against the Acquiring Body to deposit the amount in the Court.

5. It would not be appropriate on our part to issue directions in the matters pending before the co-ordinate bench.

6. Mr. Manorkar, the learned Counsel assures that he would seek Circulation of the Arbitration Appeals within a period of four (04) weeks.

7. In the view of above, the Writ Petition is disposed of with the aforesaid observations and the liberty to the Petitioner.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]

marathe