

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION APPLICATION NO.7 OF 2021**

Admirecon Infrastructure Pvt. Ltd.

....Applicant

V/s.

Kuber Kartik New Link Road
Premises Co-op Sty Ltd.

....Respondent

Mr. Rishabh Deshpande a/w. Mr. Rohit Gupta i/b. M/s. Praxis LEgal for applicant.

Ms. Vrushali Kabre for respondent.

CORAM : K.R.SHRIRAM, J.

DATED : 29th JULY 2021

P.C. :

1 At the outset, Ms Vrushali Kabre undertakes to file vakalatnama for respondent within two weeks from today.

2 Ms Kabre raises preliminary objection as to maintainability of this application on the ground that the underlined agreement is improperly stamped.

3 Mr. Deshpande in view of the objection raised by Ms Kabre as noted above, states that the application be disposed and he will file proper application before the adjudicating authority to prove the document and also get the document properly stamped and registered and thereafter, take out an application under section 11 of the Arbitration and Conciliation Act 1996.

4 In view of the provisions of section 33 of the Indian Stamp Act, this

court has to impound the document. Mr. Deshpande undertakes to submit original agreement to the Prothonotary and Senior Master, High Court, Bombay within one week from today. Prothonotary and Senior Master, thereafter, shall forward the document to the Superintendent of Stamps/Collector of Stamps, Mumbai for adjudication. Copy of the forwarding letter to be sent to the advocate for applicant with copy to Ms Kabre, who has undertaken to file vakalatnama within one week from today. The Superintendent of Stamps/Collector of Stamps, Mumbai is directed to adjudicate the quantum of stamp duty, registration charges, penalty and interest, etc., payable within 6 weeks of receiving the documents from the Prothonotary and Senior Master, High Court, Bombay. Once adjudicated, the order be communicated to the Prothonotary and Senior Master, with copy to the advocate for applicant and respondent. Applicant to pay the amount of stamp duty including penalty etc., i.e, adjudicated amount, within four weeks of receiving a copy of the order. If applicant is aggrieved by any such adjudication order, applicant will be entitled to challenge the adjudication order in accordance with law.

5 Application accordingly stands disposed.

6 All to act on authenticated copy of this order.

(K.R. SHRIRAM, J.)