

SHRIKANT
SHRINIVAS
MALANI

Digitally signed by
SHRIKANT
SHRINIVAS
MALANI
Date: 2022.10.21
10:14:27 +0530

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 318 OF 2022

IN

ARBITRATION APPEAL NO. 15 OF 2021

WITH

INTERIM APPLICATION NO. 2588 OF 2021

Bharat Udyog Limited

...Applicant/Appellant

Versus

The Municipal Corporation of the
City of Thane

...Respondent

- Mr. Gautam Ankhad, Mr. Abhishek Adke a/w Vibha Joshi, for Applicant/Appellant.
- Mr. Saurabh B. Mishra i/by N. R. Bubna, for Respondent.

CORAM : MANISH PITALE, J

DATE : 19TH OCTOBER, 2022.

P. C. :

1. By this Interim Application, the Applicant/Appellant is seeking amendment of the memo of Appeal, in order to incorporate an additional ground of challenge.

2. By the said proposed ground of challenge, the Applicant seeks to point out that the District Court at Thane could not have held that the learned Arbitrator was not justified in awarding interest on the amount, when no such ground was raised in the application filed under Section 34 of the Arbitration and Conciliation Act, 1996.

3. Having perused the proposed amendment, this Court is satisfied that the same can be granted in the interest of justice.

4. Accordingly, the application is allowed. The amendment be carried out within one week from today.
5. List the Appeal for consideration on **01st December, 2022**.

(MANISH PITALE, J.)