

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 2255 OF 2023

Union of India

.Petitioner

Vs.

M/s. Bhate Builders

.Respondent

Ms. Anamika Malhotra, Senior Counsel on the Panel of Union of India

CORAM : MADHAV J. JAMDAR, J.

DATE : 28.11.2023

P. C.

1. The challenge in this Petition is to the legality and validity of the order dated 22.09.2022 passed by the learned Additional Sessions Judge, Pune below Exh. 25 in Civil M. A. No. 786 of 2015. The said Application (Exh. 25) has been filed for stay of the operation of the Arbitral Award dated 01.07.2015. The said stay has been granted on the condition that the Petitioner shall deposit a sum of Rs. 1,00,00,000/- (Rupees One Crore only) within two months in the Court. Learned Judge has taken into consideration that the amount of Award under challenge is Rs. 45,62,372/- and the date of Award is 01.07.2015. Accordingly, learned Judge has granted stay on deposit of Rs. 1,00,00,000/- (Rupees One Crore only) within two months. No illegality is

pointed out by the learned counsel appearing for the Petitioner in the impugned order. Therefore, interference under Article 227 of the Constitution of India is not warranted.

2. However, at this stage, Ms. Malhotra, learned counsel appearing for the Petitioner states that if some additional time is granted to deposit the aforesaid amount of Rs.1,00,00,000/- (Rupees One Crore only) then the amount will be deposited.

3. Time to deposit the aforesaid amount of Rs.1,00,00,000/- (Rupees One Crore only) is granted till 29.02.2024.

4. The Writ Petition is dismissed, however, subject to above.

(MADHAV J. JAMDAR, J.)