

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

ARBITRATION PETITION NO.117 OF 2024

Chandan Mohanlal Mathrani, through Mohanlal

Mathrani Construction Pvt. Ltd.

... Petitioner

V/s.

Chief Engineer Pune Zone & Ors.

... Respondents

Mr. Yuvraj Narvankar for the Petitioner.

Mr. Kedar B. Dighe for the Respondent-UI.

CORAM : ARIF S. DOCTOR, J.

DATE : 27TH NOVEMBER 2024

P.C. :

1. The matter was kept today since on the last occasion Mr. Dighe, Learned Counsel appearing on behalf of the Respondent-UI had pointed out that the Petitioner had not submitted their final bills inasmuch as the deviation orders, that were required to be signed and submitted by the Petitioner, were also not submitted.

2. Today, Learned Counsel appearing on behalf of the Petitioner submitted that the said deviation order was signed and the same was sent to the Respondent for consideration. To this, Mr. Dighe assures the Court that the final

bills alongwith the deviation order shall be settled by the Respondent within a period of two months from today, i.e., on or before 27th January 2025. He also invites my attention to a letter dated 26th October 2020 and submits that this document would also be required to process the final bill. Learned Counsel for the Petitioner submits that this document has already been submitted, however in case the same is needed to be submitted again, his client undertakes to do so.

3. In this view, nothing would really survive in the Petition. However, Learned Counsel for the Petitioner points out that the Petitioner has also made a claim for interest and escalation costs and thus it is possible that even on the acceptance of final bill by the Respondent, the Petitioner still may have his subsisting claim. It is for this reason, Learned Counsel for the Petitioner submits that present Petition under Section 11 be kept alive.

4. Hence stand over to 3rd February 2025.

5. It is made clear that in the interregnum the parties shall make an attempt to amicably resolve all issues including the Petitioner's claim for interest and escalation charges. In the event, the parties are arrived at amicable settlement, they are at liberty to mention.

(ARIF S. DOCTOR, J.)