

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION NO. 262 OF 2024
WITH
INTERIM APPLICATION (L) NO. 32187 OF 2023
WITH
INTERIM APPLICATION (L) NO. 21282 OF 2024
IN
ARBITRATION PETITION NO. 262 OF 2024

Public Works Department Government of ...Petitioner
Maharashtra National Highways

Versus

Khare & Tarkunde Infrastructure Pvt Ltd ...Respondent

WITH
ARBITRATION PETITION NO. 264 OF 2024
WITH
INTERIM APPLICATION (L) NO. 32189 OF 2023
WITH
INTERIM APPLICATION (L) NO. 21288 OF 2024
IN
ARBITRATION PETITION NO. 264 OF 2024
WITH
ARBITRATION PETITION NO. 263 OF 2024
WITH
INTERIM APPLICATION (L) NO. 32188 OF 2023
WITH
INTERIM APPLICATION (L) NO. 21285 OF 2024

IN
ARBITRATION PETITION NO. 263 OF 2024

Mr. Amrut Joshi, *a/w Yazad Udwadia, Kajal Gupta, Shweta Singh, i/b M.V. Kini & Co., for the Petitioner.*

Mr. Karl Tamboli, *a/w Anoop Sharma, Ujwala Kamat, Sumeet K., i/b Sarita D, for Respondent.*

CORAM : SOMASEKHAR SUNDARESAN, J.
DATE : MARCH 10, 2025

PC :

1. This matter was listed today for reporting compliance. It is seen from the submission by the Learned Counsel that an aggregate amount of Rs. 589.28 Crores has been deposited in this Court pursuant to the orders passed earlier. It is the case of the Learned Counsel for the Respondent that the amount so deposited is short by approximately Rs.20 Lakhs.

2. The parties are however in agreement that this amount does not include the Goods and Service Tax ("**GST**"). Learned Counsel for the Petitioner submits that a computation of the GST shall be made and such amount, if any, shall be paid within a period of one week from today i.e. March 17, 2025. However, he submits that it would take just five minutes to demonstrate that the award is untenable and not maintainable since it is directly contrary to law.

3. In these circumstances, while agreeing to deposit the amount within the deadline stipulated by the Court, he also submits that a very short hearing be given for final consideration of the Petition in the terms mentioned by him above.

4. In these circumstances, list on Supplementary Board on ***March 19, 2025*** under the caption “***For Final Hearing- Section 34***”.

5. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court’s website.

[SOMASEKHAR SUNDARESAN, J.]