

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

**ARBITRATION PETITION NO.392 OF 2024
WITH
CONTEMPT PETITION (L) NO.31690 OF 2023
IN
ARBITRATION PETITION NO.392 OF 2024**

Aditya Birla Finance Limited

...Petitioner

Versus

Sanchaiti Hospital Pvt. Ltd.& Ors.

...Respondents

Ms Bijal Gogri i/b. GNP Legal, Advocate for Petitioner.

CORAM: SOMASEKHAR SUNDARESAN, J.

DATE : JANUARY 23, 2025

PC :

1. Contempt Petition (L) No.31690 of 2023 has been filed invoking the contempt jurisdiction of this Court for alleged violation of the order dated March 27, 2023 passed by a Learned Single Judge of this Court in Arbitration Petition (L) No.4381 of 2023.

2. It is seen from the record that the Learned Single Judge of this Court had indeed passed an order directing the Respondent to make a disclosure of all the movable and immovable properties to the extent of the value of the outstanding amounts due and payable within a period

of two weeks from that date. The Learned Single Judge was also pleased to grant *ad-interim* protection in terms of prayer clause (f) of the said Petition, which had been filed under Section 9 of the Arbitration and Conciliation Act, 1996 (*"the Act"*). It is evident that there has been no compliance with that order till date.

3. Therefore, the Registry is directed to issue a show-cause notice to the Respondent on this Contempt Petition (L) No.31690 of 2023, returnable in four weeks from today to the Respondents for failing to comply with the order dated March 27, 2023 passed in Arbitration Petition (L) No.4381 of 2023.

4. List on *February 27, 2025*.

5. Advocates for the Petitioner shall serve a copy of this order once again on Respondent Nos.1 and 3 since Respondent No.2 is said to have passed away.

6. 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.]