

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

EXECUTION APPLICATION NO. 1721 OF 2024

Basant F. Jain

...Applicant

V/s.

Oriental Insurance Co. Ltd.

...Respondent

WITH

NOTICE NO. 899 OF 2025

Mr. Rutvij Dave, through VC with Mr. Kevin Gala and Ms. Priyanka Singh for the Applicant.

Mr. Devendranath S. Joshi with Mr. Pradyumna ThakurDesai for the Respondent.

CORAM : ABHAY AHUJA, J.
DATE : 11th DECEMBER, 2025

P.C. :

1. Mr. Joshi, learned Counsel appears for the Respondent and submits that although the Notice under Order XXI Rule 22 of the Code of Civil Procedure, 1908 ("CPC") has been served, however, this Court may adjourn the matter as the Application under Section 34 of the Arbitration and Conciliation Act, 1996 as well as for stay under Section 36 of the said Act has been filed.

2. Mr. Dave, learned Counsel appearing for the Applicant submits that there is no stay to the execution of the award nor any explanation has been offered on behalf of the Respondent as to why the award should not to be executed. Mr. Dave submits that, therefore, the Notice

under Order XXI Rule 22 of the CPC be made absolute and the registry be directed to proceed with the execution.

3. Having heard the learned Counsel and having considered the submissions and noting that there is not stay to the execution of the award, the Notice under Order XXII Rule 22 of the CPC is made absolute.

4. Registry to proceed with the execution in accordance with the law.

(ABHAY AHUJA, J.)