

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
INTERIM APPLICATION NO. 2680 OF 2025**

IN

COMMERCIAL EXECUTION APPLICATION NO. 46 OF 2025

Vikas Enterprise

... Applicant

Versus

Maharashtra Rajya Sahakari Dudhmahasangh Maryadit ... Respondent

.....

Mr. Rohit Agrawal alongwith Mr. Vinod Kothari, Mr. Kshitij Parekh and
Mr. Anand Tiwari, Advocates for the Applicant.

Ms. Rupali Deshpande, Advocate for the Respondent/Judgment Debtor.

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CORAM : ABHAY AHUJA, J.

DATE : 13 OCTOBER 2025

P.C. :

1. Ms. Deshpande, learned Counsel, appears for the Respondent and while admitting the liability once again seeks time to make payment of the amount of the arbitral award alongwith interest within a period of four weeks.

2. Mr. Agrawal, learned Counsel appearing for the Applicant draws this Court's attention to the order dated 25th August 2025 and submits that on the said date an undertaking had been given to this Court as can be seen from paragraphs 1 and 2 of the said order that the

outstanding amount alongwith interest would be paid within a period of six weeks. However, till date no payment has come and time is being sought.

3. Mr. Agrawal, therefore vehemently opposes the request for time, submitting that if this Court is inclined to grant time as a last chance, this Court may impose costs.

4. Ms. Deshpande requests that time may be granted as and by way of last chance.

5. It is observed that earlier on 20th June 2025, this Court had directed the Judgment Debtor to take instructions as to when the amounts due would be paid.

6. Again on 18th July 2025, when the matter was called out, this Court was informed that the award would be challenged within a week, however till date neither any payment plan has been submitted nor the award has been challenged. Accordingly, on 18th July 2025 this Court had directed the Respondent to make disclosures.

7. On 25th August 2025 when the matter was called out and it was pointed out that no disclosure had been made, the learned Counsel appearing for the Respondent had submitted that she had instructions to state that payment of the outstanding amount of the arbitral award alongwith interest and costs would be made within a period of six

weeks. The said statement was accordingly accepted as an undertaking to this Court.

8. Today when the matter is called out, again time is being sought. The entire narration of the conduct of the Respondent is unacceptable. However, since time is being sought as and by way of last chance, subject to payment of costs of Rs.50,000/- to the Applicant within a period of three weeks, let payment of outstanding amount alongwith interest and costs be made within a period of four weeks thereafter. Let disclosures also be made in terms of order dated 18th July 2025 by the next date, with copy to the other side.

9. List for compliance on **8th December 2025**.

(ABHAY AHUJA, J.)