

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
INTERIM APPLICATION (L) NO. 13311 OF 2025
WITH
INTERIM APPLICATION NO. 2693 OF 2025
IN
COMMERCIAL ARBITRATION PETITION NO. 502 OF 2025**

Ducon Infratechnologies Limited	... Applicant/Petitioner
Vs.	
Elecon Engineering Company Limited	... Respondent(s)

Mr. Sharan Jagtiani, Senior Advocate *a/w. Mr. Vishal Narichania, Mrs. Bharati Narichania and Ms. Ilrina Pereira and Ms. Dhavni Shah i/b Vibha Jurisconsult Co., for Applicant/Petitioner.*

Ms. Shilpa Kapil *a/w. Chidanand Kapil, Ms. Chandni Bavishi and Priti Karbhari, for Respondent.*

CORAM : SOMASEKHAR SUNDARESAN, J.

Date : August 14, 2025

Order :

1. Commercial Arbitration Petition No. 502 of 2025 is filed under Section 34 of the arbitration and Conciliation Act, 1996.
2. After the matter was argued for some time, this Court is of the view that the issues raised in support of seeking a stay on arbitral award would involve examination of facts in some detail. Primarily, the reliance is on

minutes of meeting held on January 17, 2015 which records the presence of the Respondent but evidently is not signed by the Respondent. Whether the Respondent, without signing the minutes, could be said to have been bound by it is a matter of evidence, and if the arbitrator has ruled upon it, that would be examined at the final stage.

3. At this stage, suffice it to say that should the Petitioner deposit the amount awarded in the impugned award including interest computed until today i.e. August 14, 2025, within a period of four weeks from today, the execution of the impugned award shall remain stayed. The deposit may take the form of 50% being deposited in cash and the remaining 50% being provided in the form of a bank guarantee in accordance with the rules of the Court.

4. List the main matter on *September 30, 2025*.

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.]