

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION (L) NO. 30318 OF 2025
IN
ARBITRATION PETITION NO. 68 OF 2025

M s Jai Hanuman CHS Ltd

...Applicant

Versus

M s Paresh Construction Civil Engineers and
Registered Contractors

...Respondent

Mr. Shirishail Sakhare, for the Applicant.

Ms. Ketki Gadkari, for Respondent.

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : OCTOBER 10, 2025

ORDER :

1. This matter had been repeatedly mentioned multiple times asking for a variation of the order dated July 29, 2025, whereby after hearing the parties, a stay order was issued subject to deposit of the arbitral amount within a period of eight weeks from that date. A request is made to modify the deposit condition and grant a stay without asking for a deposit or with a nominal deposit of 10%.

2. Learned Advocate for the Respondent strongly opposes this, pointing out that there are in all 96 members and the per head cost would be minimal and these are indeed costs incurred by the

Respondent and on consideration by tribunal, has been appropriately awarded. The other grievance is that the Applicant never enters appearance in the execution proceedings and moves a praecipe before this Court to buy time in the Execution Court.

3. Learned Advocate submits that at the least, the Applicant should make the disclosures sought in the execution proceedings which would show their bona fides and subject to the same she is willing to have the Section 34 Petition adjudicated on an expedited basis.

4. This is a fair suggestion. The Applicant should attend the execution proceedings on the next date and subject himself to such prayers for disclosures as are being sought by the Respondent. Considering that the Petitioner Society is said to comprise erstwhile slum dwellers, the hearing of the Section 34 Petition would be taken up on an expedited basis.

5. List under the caption “***Final Hearing- Section 34***” on ***November 12, 2025***.

6. Interim Application is ***finally disposed of***.

7. 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.]