



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO. 4295 OF 2026**

MANINDERSINGH DHARAMSINGH JAHAGIRDAR
VERSUS
SHRI AMBIKA URBAN ULTI SATE CO.OP CREDIT SOCIETY
AND ORS.

**AND
WRIT PETITION NO. 4304 OF 2026**

MAHINDERSINGH DHARAMSINGH JAHAGIRDAR
VERSUS
SHRI AMBIKA URBAN MULTI STATE CO. OP. CREDIT
SOCIETY CHIKHALI AND ORS.

...
Mr. Dhananjay A. Mane, Advocate for the Petitioner.

...
**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 21st APRIL, 2026.**

P.C.:-

1. The petitioner suffered Arbitration Award dated 11.10.2024.
2. Mr. Mane, learned Advocate appearing for petitioner submits that petitioner has filed an application under Section 34 of Arbitration Act before District Judge, Buldhana assailing Arbitration Award alongwith application seeking stay to its execution and implementation. He submits that Award is ex-parte. The petitioner has deposited amount towards repayment of loan during pendency of Arbitration and execution proceeding. The respondent-Bank has admitted receipt of such amount. He would, therefore, urge that order impugned thereby directing Assistant Superintendent of Executing Court to conduct procedure for sale of attached property by way of public auction in terms of Order XXI

Rule 66 of Code of Civil Procedure needs to be stayed, as exact amount due towards petitioner after aforesaid deposits is not yet ascertained.

3. Considering submissions advanced, this Court finds that issue as to liability of petitioner towards Bank is subject matter of challenge in proceeding under Section 34 of Arbitration Act before District Judge. In that view of matter, petitioner can very much agitate all contentions raised by him in present Writ Petition before District Judge or pursue said Court for grant of stay to execution of Award, which is subject matter of challenge.

4. In that view of matter, this Court do not find any reason to entertain Writ Petitions.

5. In result, Writ Petitions stand disposed of.

6. Needless to state here that, if application for grant of stay is filed by petitioner before District Judge in proceeding under Section 34 of Arbitration Act, same shall be considered expeditiously and in any case within period of three weeks from today. The petitioner shall also be at liberty to agitate his grievance before Executing Court for adjustment of amount, if any deposited by him.

(S. G. CHAPALGAONKAR)
JUDGE