

**OMP (COMM.) 245/24**

**UNION OF INDIA AND ORS Vs. M/S ATC Foods Pvt Ltd**

**28.03.2025**

Present : Sh. Ram Kanwar, Ld. Counsel for the petitioner  
through video conferencing with Sh. Sanjeev Kumar,  
Dy. Director, Ministry of Defence.  
Sh. Gaurav Aggarwal, Ld. Counsel for the  
respondent through video conferencing.

Arbitral record received.

Ld. Counsel for the respondent submits that he has received the copy of petition and seeks three weeks time to file the reply. Allowed. Advance copy be supplied to the Ld. Counsel for the petitioner. Ld. Counsel for petitioner may file rejoinder thereto on or before the next date of hearing with advance copy to the counsel for the respondent.

Put up this matter for arguments.

Ld. Counsel for the petitioner submits that he has filed the application under Section 36 (3) of the Arbitration and Conciliation Act, seeking stay of arbitral award dated 03.08.2024 passed by Ld. Arbitrator. Ld. Counsel for the respondent submits that he has no objection, subject to deposit of awarded amount along with interest. Counsel for the petitioner submits that as per instructions, the same is agreeable to him, but Ld. Counsel for the petitioner submits that he will take instructions in how much time the department shall deposit the decretal amount. This submission is without any basis.

In the facts and circumstances of the matter, it is hereby ordered that the impugned award dated 03.08.2024, is stayed subject to the petitioner depositing 100% of the arbitral award along with upto date interest in the form of an FDR in the name of the Court, in this court within a period of six weeks from today.

Renotify the matter on **08.07.2025**.

**Anurag Sain**  
**District Judge (Commercial Court)-01**  
**Patiala House Court, New Delhi.**  
28.03.2025