

ORDERS

This is a claimant petitioner under Sec.34 of the Arbitration and Conciliation Act 1996 seeking setting aside of the award passed by the Leaned Sole Arbitrator in A.C.No.579/2024 dated 15.07.2025. The petitioner is seeking for setting aside the said award on various grounds. Petitioner also seeks for stay of the operation and execution of the award till disposal of this petition.

By way of the award dated 15.07.2025 the Leaned Sole Arbitrator has rejected the claim of the claimant holding that it is without jurisdiction and not maintainable and further the claimant has been directed to pay cost incurred by the respondents which includes the arbitrators fee, administrative expenses along with the advocate fee of Rs.10,000/-. Prima facie there is no executable order in the award passed by the Leaned Sole Arbitrator. In fact by virtue of the award the claim of the claimant has been rejected. Claimant has only be directed to pay to the respondent the costs incurred by the respondent which includes arbitrators fee, administrative expenses and the pleaders fee fixed at Rs.10,000/-. There is no material on record regarding the respondent having already resorted to recovery of the cost through execution proceedings. Therefore under such circumstances I am of the considered opinion that no justifiable grounds arise at this stage for staying the operation and execution of the award as prayed. Hence the following:

ORDER

Request of the petitioner for ad-interim stay on the operation and execution of the award is ***declined***.

Respondent No.2 is the Leaned Sole Arbitrator who is a formal party and notice to R2 is dispensed.

Issue Notice of I.A.No.1 and main petition to the respondent No.1 through Court and office to call for the records from Arbitration and Conciliation Centre Bengaluru.

Returnable by 05.11.2025

LXXXV ACC & SJ, B'LURU.