

IN THE COURT OF DISTRICT JUDGE, ERNAKULAM*Present:-***Sri. K.K.Balakrishnan, District Judge**Friday , 10th day of April, 2026/20th Chaithra, 1948.**IA No. 1 of 2026 in CMA (Arb) No 7 of 2026****(Against the order dated 14.01.2026 passed in
OP (Arb) No 33 of 2021 by the Commercial Court, Ernakulam)****Applicant
/Applicant/
Petitioner:**Indo German Carbon Ltd, Edayar Industrial Area,
Binanipuram P O, Kochi-683 502, represented by
its Managing Director, M M Abdul Basheer.**By Advs. Babu Thomas, Marykutty Babu &
Drisya Dileep.****Respondent _____ /
Respondent/
Respondent:**Genuine Shell Carb (P) Ltd, 154 E, Ram Nagar,
Kangayam, Tirupur District, Tamil Nadu-638 701
presently SF NO 810, Samanaickenpalayam, No 4,
Veerapandi Post, Coimbatore-641019 represented
by its Managing Director.

The petition filed under section 9 read with Sections 36(2), (3) and 37 of the Arbitration and Conciliation Act, 1996.

This petition coming on for hearing on 10.04.2026 and the Court on the same day passed the following:

ORDER

This petition is filed by the appellant to stay the operation and implementation of impugned award dated 12.10.2020 passed in ARC No.15/2014 by the Sole Arbitral Tribunal.

2. The Sole Arbitral Tribunal by Award dated 12.10.2020, directed the petitioner to pay ₹5,53,70,977/- to the respondent with interest. It is also directed the respondent to pay ₹2,65,10,000/- to the petitioner with interest. Aggrieved by the said Award, the petitioner herein filed OP (Arb) 33/2021 before the Commercial Court, Ernakulam, seeking to set aside the award ,and the said application was dismissed by order dated 14.01.2026. Against the said order in OP (Arb), CMA (Arb).7/2026 has been filed. The petitioner herein submits that, unless the operation and implementation of the impugned award dated 12.10.2020 are kept in abeyance pending disposal of the appeal, it will cause irreparable injury and hardship to the petitioner. Hence, the petitioner has pleaded for grant of stay of further proceedings in the Award passed by the Sole Arbitral Tribunal. Hence, this petition.

3. Heard the learned counsel for the petitioner.

4. The learned counsel for the petitioner repeated the contentions in the petition and argued for granting stay for the further proceedings in the above said Award of the Sole Arbitral Tribunal till the disposal of the appeal.

5. Appeal already admitted and notice issued to the respondent and the case is posted to 29.05.2026. I have perused the available records.

Considering the facts and circumstances of the case, I am of the view that for the interest of justice, further proceedings in the above stated Award passed by the Sole Arbitral Tribunal is to be stayed till the next posting date. So, the petition is partly allowed and further proceedings in the Award passed by the Sole Arbitral Tribunal is stayed upto 29.05.2026.

Dictated to the Confidential Assistant, typed by her, corrected and pronounced by me in open court on this the 10th day of April, 2026.

Sd/-

K K Balakrishnan
District Judge

Typed by: sm
Comp.by:

**Order in
IA No 1/2026 in
CMA (Arb) No 7/2026
Dated: 10.04.2026**