

IN THE COURT OF DISTRICT JUDGE-04 AT WARDHA.
(Presided over by S.G. Adake)

MJC No.120/2024
MHWR010013182024

ORDER BELOW EXH.11
(Passed on 10.09.2025)

This is an application preferred by the applicant under Order 41 Rule 5 of CPC for grant of stay to the Arbitral Award dated 31.12.2022. Perused the application and say of other side is called out. However, non-applicant no.1 did not file their reply. Therefore, application is proceeded without reply of non-applicant no.1.

2] Heard advocate for applicant and non-applicant no.1 about this application. It is submitted by the non-applicant no.1 that there is change of management. Therefore, newly added non-applicant no.1, be add in this proceeding.

3] By way of pursis below Exh.12, it is submitted by the applicant that he is ready to deposit Rs.65,000/- out of the total award amount of Rs.1,89,083/-.

4] The applicant is mainly challenging the Arbitral Award on the ground application of interest rate and non service of notice issued by the Sole Arbitrator in the instant case. There is absolutely nothing on record to suggest and notices were issued and its service to the applicant by the Sole Arbitrator. This crucial issue is required to be adjudicated in the present application. So, considering these aspects, applicant has made out case for grant of stay. Moreover, applicant is ready to deposit Rs.65,000/- within the one month from 21.07.2025 (as per pursis below Exh.12).

5] So, under such circumstances, application can be allowed in the interest of justice with conditions. Hence, I proceed to pass the following order.

ORDER

- i] The application below Exh.11 is hereby allowed.
- ii] The effect and operation of Arbitral Award dated 31.12.2022 is hereby stayed till further orders on following conditions that :
 - a) Applicant shall deposit Rs.65,000/- in this court within the 15 days from the date of this order.
 - b) If the applicant fails to deposit said amount within the stipulated period, the stay will be automatically vacated without further any extension.

Date : 10.09.2025

(S.G. Adake)
District Judge-4, Wardha.