

ORDER BELOW EXH.1

Perused application. Heard advocate R. V. Sagam for the applicant and advocate Sandip Phadke for the respondent.

2. The advocate for the applicant submitted that, today they are ready to deposit 100% amount therefore, prayed for to grant stay to the execution and operation of the award passed in favour of the respondent. The advocate for the applicant in support of his above submission relied on the ratio laid down in the case of M/s. Balmer Lawrie and Co. Ltd. Vs. M/s. Shilpi Engineering Pvt. Ltd. (Interim Application(L) No. 779/2024 in Commercial Arbitration Petition No. 1131/2018 made by Hon'ble High Court, therein the Hon'ble High Court observed that,

“If the award is in the nature of money decree there is a requirement for deposit of 100% of the awarded amount for grant of stay.”

Today the applicant is ready to deposit 100% amount therefore, he prayed for grant of stay to the operation of award.

3. The advocate for the respondent strongly opposed for grant of stay as because there is a huge delay in depositing amount.

4. On perusal of application and reply filed by the respondent and having heard both advocates, I am of the opinion that today applicant is ready to deposit 100% awarded amount. Therefore he entitled for the grant of stay to the execution and operation of the award. Considering this I pass following order.

ORDER

1. The execution proceeding is stayed till disposal of the Civil Misc. Application.
2. The applicant/Judgment debtor is directed to deposit 100% awarded amount. If, applicant/judgment debtor failed to deposit amount stay will be vacated automatically.

Pune
Date : 03/08/2026.

[S. D. Kulkarni]
District Judge -23,
Pune.

“Certificate”

I affirm that the contents of this PDF file are same word for word as per original.

Name of Steno	:	V. D.Khirid, (Steno-I)
Court name	:	Shri. S. D. Kulkarni Dist. Judge-23 & Addl. Sessions Judge, Pune.
Judgment delivered on	:	03.08.2026
Judgment signed by PO on	:	03.08.2026
Judgment uploaded on	:	03.08.2026