

ORDER PASSED BELOW EXH. 1 IN CIV.M.A NO. 146/2024

Learned advocate Aakash V. Kashale for advocate Sagar Ladda, submitted that Judgment debtor/present applicant is ready to deposit 100% amount and prayed to stay the execution proceeding. Learned advocate has pointed out observation made in **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.** I have minutely gone through the judgment of Hon'ble Bombay High Court wherein Hon'ble High Court has observed specifically in Para No. 7 and 14 to grant stay deposit of 100% of awarded amount is required to grant stay.

2] Learned advocate of other side vehemently argued and opposed this application on ground that applicant will not deposit the amount and he will unnecessarily delayed the matter. This argument is not acceptable because in view of directions given by Hon'ble High Court cited supra, it would be just and proper to grant the stay by taking deposit of 100% of awarded amount. Even if applicant failed to deposit said amount, court has power to vacate order of granting stay to execution.

3] Hence, execution proceeding is stayed till disposal of Civil Miscellaneous Application. Judgment debtor/applicant is

directed to deposit 100% awarded amount within four weeks from the date of this order. If applicant failed to deposit 100% awarded within four weeks from the date of this order, order of granting stay will be automatically vacated.

Date :27/02/2026

(C. P. Bhagwat)
District Judge-24 & Addl.
Sessions Judge, at Pune