IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/APPEAL FROM ORDER NO. 183 of 2025

With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2025
In R/APPEAL FROM ORDER NO. 183 of 2025

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BAJAJ FINANCE LIMITED
Versus
CHANDRIKABEN PRAVINBHAI PATEL

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Appearance:
MR. S. N. SOPARKAR, SENIOR ADVOCATE with MS MINOO A SHAH(774) for the Appellant(s) No. 1

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CORAM:**HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA AGARWAL**
and
HONOURABLE MR.JUSTICE D.N.RAY

Date : 22/08/2025

ORAL ORDER
(PER : HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA AGARWAL)

1. Heard Mr. S. N. Soparkar, learned Senior Advocate with Ms. Minoo A. Shah for the appellant.

2. The present appeal is directed against the judgment and order dated 21.08.2025 passed by the Commercial Court in rejecting the interim injunction application Exh. 15 in Commercial Civil Misc. Application No. 174 of 2025, filed under Section 34 of the Arbitration and Conciliation Act, 1996.

3. Inviting attention of the Court to the Arbitral award dated 23.05.2025 and the documents appended at page no. 39 of the paper-book, it is submitted by Mr. S. N. Soparkar, learned Senior Advocate assisted by Ms. Minoo A. Shah for the appellant that the entire awarded amount to the tune of Rs. 48,33,247.88 has been deposited with the National Stock Exchange. The interest of the respondent/claimant is thus, secured. However, as per the Rules of the National Stock Exchange, they will disburse the amount to the claimant soon after the expiry of period of 90 days, which is going to expire on 23.08.2025.

4. This appeal has been taken up on the urgent mentioning by Mr. Soparkar, learned Senior Advocate for the appellant.

5. Taking note of the fact that with the dismissal of the stay application in the proceedings under Section 34, there would be automatic transmission of the amount in the account of the respondent after expiry of period of 90 days, i.e. tomorrow 23.08.2025, and further looking to the reasoning given by the Trial Court in the order of the

rejection of the application for grant of ad-interim injunction, prima facie, we do not find any substantial reasoning in the order of rejection. The matter, therefore, requires consideration.

6. Notice be issued to the respondent no. 1 returnable on 23.09.2025 through the Speed-Post. Necessary steps be taken within a period of one week.

7. Till the next date, there shall be no withdrawal or transmission of the amount deposited with the National Stock Exchange as per the its Rules and the said amount is to be kept as deposited.

8. However, it is clarified that the pendency of the present appeal will not come in the way of the Commercial Court to proceed with section 34 application on merits.

(SUNITA AGARWAL, CJ)

(D.N.RAY,J)

VARSHA DESAI