

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY, THE TWELFTH DAY OF AUGUST

TWO THOUSAND AND TWENTY FIVE

:PRESENT:**THE HONOURABLE JUSTICE MOUSHUMI BHATTACHARYA****AND****THE HONOURABLE SRI JUSTICE GADI PRAVEEN KUMAR****CMA NO: 518 OF 2023****Between:**

Nagarjuna Fertilizers and Chemicals Ltd. (NFCL) A company registered under the Companies Act, 1956, Having its registered office at Nagarjuna Hills, Punjagutta, Hyderabad, Telangana -500082

... Applicant

AND

Tecnimont India Pvt. Ltd., having its registered office at Tecnimont House, Chincholi Bunder 504, Link Road, Malad (West), Mumbai -400064

Respondent

Appeal under Order 37 of Arbitration and Conciliation Act, 1996, praying that in the circumstances stated in the grounds filed in support of the Civil Miscellaneous Appeal, the High Court may be pleased to set aside the order dated 02/08/2022 passed by the Ld.Single Judge in COP No.14 of 2022 and the Arbitral Award dated 21.10.2017 passed by the Arbitral Tribunal.

IA NO: 1 OF 2025

Petition under Section 151 of C.P.C praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct transfer of Rs.62,93,424/- (Rupees Sixty-Two Lakhs Ninety-Three Thousand Four Hundred Twenty-Four only) along with any accrued interest deposited by the Respondent/Appellant with the Commercial Court, Hyderabad, from the Commercial Court, Hyderabad to the credit of this Court

and permit the Petitioner/Respondent herein to withdraw the same, Pending disposal of CMA 513 of 2023, on the file of the High Court.

The Appeal coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court dated 06.08.2025 made in IA No.1 of 2025 and upon hearing the arguments of Sri Sunil B.Ganu, Senior Counsel rep. for Sri Jai Kishan Solanki Advocate for the Appellant, Sri D.Pavan Kumar Advocate rep. for Sri Preetham Kunapa Reddy Advocate for the Respondent, the Court made the following.

ORDER

This matter has been brought to the list upon mentioning by learned counsel appearing for the respondent/Award holder.

By an order dated 06.08.2025, I.A. No.1 of 2025 was allowed and disposed of by directing the Commercial Court to consider the respondent/Award-holder's application for withdrawal of the amount deposited by the appellant/Award-debtor i.e., Rs.62,93,424/- and dispose of the application within two weeks from the date of filing of the application. The said order has been dictated in open Court in the presence of learned counsel appearing for both the parties and had also given liberty to the respondent/Award-holder to make an application for withdrawal of the amount along with accrued interest. However, the part with regard to accrued interest did not find its place in the order.

Counsel for the respondent/Award-holder prays that this part to be incorporated in the order.

Learned Senior Counsel appearing for the appellant/Award-debtor is present in Court. The respondent/Award-holder is also represented.

Since the Court had dictated on the last occasion with the specific intention of permitting the Award-holder to withdraw the amount deposited along with accrued interest, the first paragraph at page 2 of the order dated 06.08.2025 should contain the following line.

"The respondent/Award-holder shall also be at liberty for withdrawal of the amount of Rs.62,93,424/- along with accrued interest".

The remaining part of the order remains the same.

Let the added portion be incorporated in the order dated 06.08.2025.

The time for the Commercial Court to dispose of the application remains the same i.e., within two weeks from the date of filing of the application by the respondent/Award-holder.

//TRUE COPY//

SD/N.CHANDRA SHEKAR RAO
DEPUTY REGISTRAR


SECTION OFFICER

To,

1. The Judge, Principal Special Court in the cadre of District Judge, for Trial and Disposal of Commercial Disputes at Hyderabad
2. Nagarjuna Fertilizers and Chemicals Ltd. (NFCL) A company registered under the Companies Act, 1956, Having its registered office at D.No.8-2-2448, Nagarjuna Hills, Punjagutta, Hyderabad, Telangana -500082
3. Mr. Brijesh Shah, Authorised Signatory M/S Tecnimont India Pvt. Ltd, a Company registered under the companies Act, 1956 Having its registered office at Tecnimont House, Chincholi Bunder 504, Link Road, Malad (West), Mumbai, Maharashtra, India-400064. (2 & 3 By RPAD)
4. One CC to SRI JAI KISHAN SOLANKI Advocate [OPUC]
5. One CC to SRI PREETHAM KUNAPA REDDY Advocate [OPUC]
6. Two spare copies

HIGH COURT

**MB,J
&
GPK,J**

DATED:12/08/2025

ORDER

CMA.No.518 of 2023

DIRECTION

