

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
ARBITRATION PETITION (L) NO.920 OF 2018**

L and T Finance Ltd.	...	Petitioner
versus		
Arvind Dham	...	Respondent

Mr. Nimay Dave with Mr. Vijayendra Purohit i/by M/s. Manilal Kher Ambalal and co., for Petitioner.

Mr. Zal Andhyarujina with Mr. Karl Tamboly, Mr. Ashish Pyasi, Ms. Pragya Khaitan, Mr. Umang Thakar, Ms. Ashlesha Raut i/by M/s. Dhir and Dhir Associates, for Respondent.

CORAM: S.J. KATHAWALLA, J.

DATE: 6th SEPTEMBER, 2018

P.C.:

1. The Original document i.e. Facility Agreement dated 24th September, 2015 shall be handed over to the Prothonotary and Senior Master by the Advocate for the Petitioner on or before 12th September, 2018. The Prothonotary and Senior Master shall send a certified copy of the said document to the Collector of Stamps, Mumbai for adjudication of the stamp duty and penalty, if any, under the provisions of the Bombay Stamp Act, 1958. The Collector of Stamps, Mumbai, shall adjudicate the same within a period of two weeks from today and submit his report to this Court on or before 21st September, 2018.
2. The issue as to who is liable to pay the stamp duty is kept open.
3. The Respondent shall disclose whether the movable and immovable

properties set out in Annexure A to the disclosure Affidavit are encumbered or unencumbered.

4. Stand over to 21st September, 2018.
5. Earlier order to continue.

(S.J.KATHAWALLA, J.)