

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMMERCIAL ARBITRATION PETITION NO. 45 OF 2019

L and T Finance Ltd.

... Petitioner

Versus

Arvind Dham

... Respondent

Dr. Birendra Saraf alongwith Mr. Vijyendra Purohit instructed by M/s. Manilal Kher Ambalal & Co. for the Petitioner.

Mr. Karl Tamboly alongwith Mr. Pyasi instructed by Dhir & Dhir Associates for the Respondent.

CORAM : S.J. KATHAWALLA, J.
DATED : 10th OCTOBER, 2019
(In Chambers)

P.C.:

1. The original Deed of Guarantee dated 24th September, 2015 is handed over in Court by the Learned Advocate appearing for the Petitioner. The parties have agreed that the said Deed of Guarantee dated 24th September, 2015 may be forwarded to the Collector of Stamps, Old Custom House, Bombay, for adjudication of the stamp duty and penalty, if payable, under the provisions of the Bombay Stamp Act, 1958. In view thereof, the following order is passed :

(i) The Applicant shall forward the original Deed of Guarantee dated 24th September, 2015 alongwith an authenticated copy of the same to the Prothonotary and Senior Master of this Court, who in turn shall forward the same to the Collector of

Stamps, Old Custom House, Bombay for adjudication of the stamp duty and penalty, if any payable on the Agreement under the provisions of Bombay Stamp Act, 1958.

(ii) The Collector of Stamps, Bombay shall expedite the adjudication in terms of Clause (i) above and complete the exercise within a period of fifteen days from the date of receipt of a duly authenticated copy of the instrument together with an authenticated copy of this order from the Prothonotary and Senior Master of this Court.

(iii) As far as the representation made before the Collector of Stamps, Andheri as pertaining to notice of demand dated 19th September, 2018 (being No.341 of 2018) is concerned, the same shall be decided by the Collector of Stamps, within a period of two weeks from today. The Collector shall submit his report to this Court.

2. Stand over to 11th November, 2019 at 5.00 p.m. in Chambers.

(S.J.KATHAWALLA, J.)