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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
IN ITS COMMERCIAL DIVISION

INTERIM APPLICATION (L) NO.7509 OF 2022  
IN  
COM ARBITRATION PETITION (L) NO.5951 OF 2022

Union of India Thru Director General Naval Projects Mumbai      ...Applicant /  
Petitioner

*Versus*

Hindustan Construction Company Ltd.      ...Respondent

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Nikhil Sakhardande, Senior Counsel, Tamanna H. Sharad Bansal,  
Deepak Shukla and Satsang Tailor for the Petitioner.

Zal Andhayarujina, Senior Counsel, Maithili Parekh, Jatin Pore,  
Sreeram V.G. and Vishal Mandal i/b. DSK Legal for Respondent.

Niranjan Shimpi for Union of India.

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CORAM : R.I. CHAGLA J.  
DATE : 26TH MARCH, 2024.

ORDER :

1.           The Interim Application is being heard for a stay on the execution, implementation, operation and / or vacation of the impugned Award dated 13th September, 2021 as well as correction Award dated 15th November, 2021 passed by the learned Arbitral Tribunal.

2. Mr. Sakhardande, the learned Senior Counsel appearing for the Applicant / Petitioner has at the outset stated on instructions that the Petitioner is willing to deposit the entire amount awarded for the stay of the impugned Award as well as correction Award.

3. The stay is objected to by Mr. Zal Andhayarujina, the learned Senior Counsel for the Respondent on the ground that there is no valid ground raised by the Petitioner under Section 34 of the Arbitration and Conciliation Act, 1996.

4. Accordingly, the arguments are being advanced with regard to the issue as to whether the impugned Award is required to be stayed or liable for dismissal.

5. The arguments have commenced by Mr. Sakhardande on this issue and due to paucity of time the matter is adjourned to the next date.

6. The Counsel for the parties have consented for continuation of this matter before this bench and for treating the matter as part heard.

7. The Interim Application (L) No.7509 of 2022 with Arbitration Petition (L) No.5951 of 2022 shall be placed on 1st April, 2024. The papers in Comm Arbitration Petition (L) No.18306 of 2023; Comm Arbitration Petition No.658 of 2021; and in Comm Arbitration Petition No.1594 of 2019 shall also be kept along with above matter.

**[ R.I. CHAGLA J. ]**