

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMM. ARBITRATION PETITION (L) NO. 33371 OF 2024
WITH
INTERIM APPLICATION (L) No. 33925 OF 2024**

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Sandeep Dixit

.. Petitioner

VS

Rekha Dixit

.. Respondent

Mr. Mohit Khanna *a/w. Sayli Shinde i/b M/s. Kartikeya & Associates, for
Petitioner.*

*The Respondent was represented but appearance has not been
submitted.*

CORAM : SOMASEKHAR SUNDARESAN, J.

Date : June 19, 2025

Order :

1. This is a Petition under Section 34 of the Arbitration and Conciliation Act, 1996 (***“the Act”***).

2. Learned Counsel for the Respondent has moved this application seeking withdrawal of funds deposited in Court to fund expenses for her daughter’s engagement and wedding, but candidly states that the Respondent would not be able to post any security.

3. Having examined the record it is apparent that the dispute is essentially between an estranged couple engaged in divorce proceedings, who are also running a partnership firm together. According to the parties, an

amount of Rs. 6 Crores has been deposited in the registry by the Petitioner towards securing the impugned arbitral award.

4. Since the urgent need for funds is expressed to be the need to fund the wedding of the daughter, who is but the offspring of both parties, it would be appropriate to permit a withdrawal of Rs. 1 Crore, subject to an undertaking from the Respondent that should the outcome in these proceedings be adverse to the Respondent, the funds withdrawn would be brought back. For any withdrawal above the aforesaid sum of Rs. 1 Crore, a bank guarantee of an equivalent amount may be furnished i.e. the permissible withdrawal of any amount of above Rs. 1 Crore would match the value of the bank guarantee provided. Liberty to the Respondent to approach the Registry to effect the withdrawal.

5. List the matter under the caption “***Case Management Hearing***” on ***July 3, 2025***.

6. All actions required to be taken pursuant to this order, shall be taken upon receipt of a downloaded copy as available on this Court’s website.

[**SOMASEKHAR SUNDARESAN, J.**]