

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION (L) NO. 37964 OF 2024
IN
ARBITRATION PETITION (L) NO. 37541 OF 2024**

M/s. Thorat Wine Mart & Ors

...Applicants

Versus

Surekha Ravindra Thorat & Ors

...Respondents

**WITH
ARBITRATION PETITION (L) NO. 37541 OF 2024**

Mr. Drupad Patil, a/w Prasad Keluskar, for the Applicant Nos.2 & 3.

Mr. Rashmin Khandekar, a/w F.Nair, i/b Suraj Kaushik, for Respondent Nos.1 to 4.

**CORAM : SOMASEKHAR SUNDARESAN, J.
DATE: FEBRUARY 21, 2025**

PC :

1. This Interim Application has been filed seeking stay of the Award impugned in Arbitration Petition (L) No.37541 of 2024 which is filed under Section 34 of the Arbitration and Conciliation Act, 1996.

2. Under Paragraph 39(c) of the impugned award, payment of 40% share of profits of the firm from the time the late Ravindra Thorat ceased to be a partner by reason of his death, until the firm carried on business, along with interest until payment, is awarded to the

Respondent. The Applicant shall file an affidavit stating on oath the profits earned by the said firm for the aforesaid period. Such affidavit shall be supported by audited financial statements relating to the firm and the Income Tax Returns. Should the firm not have had an independent tax status, the partner(s) shall file such affidavit disclosing the Income Tax Returns for the relevant period along with the financial statements. Let such affidavit be filed no later than March 17, 2025. The Respondent shall be entitled to file an affidavit dealing with the contents of such affidavit no later than March 24, 2025.

3. List under the same caption i.e. ***“Post Notice-Section 34”*** on ***March 25, 2025***.

4. 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.]