

ITEM NO.30

COURT NO.16

SECTION IX

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 16775/2025

[Arising out of impugned final judgment and order dated 10-06-2025 in IA No. 3642/2024 passed by the High Court of Judicature at Bombay]

MUMBAI METROPOLITAN REGION DEVELOPMENT
AUTHORITY

Petitioner(s)

VERSUS

MUMBAI METRO ONE PRIVATE LIMITED

Respondent(s)

IA No. 146458/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

Date : 14-07-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MANOJ MISRA
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) : Mr. Tushar Mehta, SG
Mr. Balbir Singh, Sr. Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Abhikalp Pratap Singh, AOR
Mr. Kartikey, Adv.
Mr. Aditya Krishna, Adv.
Mr. Naman Tandon, Adv.
Ms. Shivali Singh, Adv.
Mr. Aman Mehta, Adv.

For Respondent(s) :
Mr. K.k. Venugopal, Sr. Adv.
Mr. Parag P. Tripathi, Sr. Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Anshuman Srivastava, Adv.
Mr. Shivam Shukla, Adv.
Ms. Naman Gupta, Adv.
Ms. Nidhi Sri, Adv.
Mr. E. C. Agrawala, AOR

UPON hearing the counsel the Court made the following
O R D E R

Mr. Tushar Mehta, learned Solicitor General and Mr. Balbir Singh, learned senior counsel appearing for the petitioner submits that the award which has been challenged before the High Court is an award where out of three Members of the arbitral tribunal two have decided against the petitioner and one in its favour.

It has also been contended that under the provisions of the contract there was a provision for extension of time with no specific clause regarding escalation of the project cost.

It is next contended that stay condition of depositing the entire awarded amount, at this stage, would be unduly harsh and therefore, it is a fit case to modify the condition imposed by the High Court while granting interim relief to the petitioner.

Issue notice, returnable on 04.08.2025.

In the meantime, the direction of the High Court to deposit the entire awarded amount, shall remain stayed subject to the deposit of 50% of the awarded amount in the High Court within a period of two weeks from today. The amount so deposited shall be invested in a Fixed Term Deposit of a nationalized bank and shall abide by the decision of this appeal.

It is further clarified that the pendency of the proceedings shall not preclude the High Court from proceeding further with the hearing of the application filed under Section 34 of the Arbitration and Conciliation Act, 1996 and if, in the meantime, the High Court finally decides the application under Section 34, one way or the other, this interim order shall abide the order passed by the High Court.

(RASHI GUPTA)
COURT MASTER (SH)

(SAPNA BANSAL)
COURT MASTER (NSH)