

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.6900/2024

PURVANCHAL VIDYUT VITRAN NIGAM LTD. . . . . APPELLANT(S)

VERSUS

SRV TECHNO ENGINEERING PVT. LTD. . . . . RESPONDENT(S)

O R D E R

Having regard to the facts and circumstances of the present case and as the appellant, Purvanchal Vidyut Vitran Nigam Ltd. has filed objections under Section 34 of the Arbitration and Conciliation Act, 1996<sup>1</sup>, we partly allow and dispose of the present appeal on the following terms:

- (i) The appellant, Purvanchal Vidyut Vitran Nigam Ltd., shall deposit 75% of the principal amount, along with the interest accrued thereon, in terms of the Award within two months from today, in the court where the objections under Section 34 of the Act are pending.
- (ii) It will be open to the respondent, SRV Techno Engineering Pvt. Ltd., to ask for the release of the aforesaid amount by moving an application, which will be considered and decided by the court, where the objections under Section 34 of the Act are pending within a period of three months from the date the application is filed.
- (iii) On deposit of the aforesaid amount within a period of two

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1 For short, "The Act."

months from today, the appeal preferred by the respondent, SRV Techno Engineering Pvt. Ltd., shall stand restored to the file of the National Company Law Appellate Tribunal<sup>2</sup>. The NCLAT will, thereupon, decide the appeal afresh in accordance with law.

(iv) In case the aforesaid amount is not deposited within a period of two months, the appeal will be treated as dismissed.

In case any party is aggrieved by the order passed by the NCLAT, it would be entitled to take recourse to appropriate remedies as provided by law.

Recording the aforesaid, the impugned judgment is set aside and the appeal is partly allowed and disposed of in the above terms.

We clarify that we have not expressed any opinion on the merits of the case, either on the objections under Section 34 of the Act or on the payment of the amount.

Pending application(s), if any, shall stand disposed of.

.....CJI.  
(SANJIV KHANNA)

.....J.  
(SANJAY KUMAR)

.....J.  
(K.V. VISWANATHAN)

NEW DELHI;  
FEBRUARY 04, 2025.

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2 For short, "NCLAT."

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

Civil Appeal No. 6900/2024

PURVANCHAL VIDYUT VITRAN NIGAM LTD.

Appellant(s)

VERSUS

SRV TECHNO ENGINEERING PVT. LTD.

Respondent(s)

IA No. 131514/2024 - STAY APPLICATION

Date : 04-02-2025 This matter was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE SANJAY KUMAR  
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Appellant(s) Ms. Garima Prasad, Sr. A.A.G.  
Mr. Pradeep Misra, AOR  
Mr. Daleep Dhyani, Adv.  
Mr. Suraj Singh, Adv.

For Respondent(s) Mr. K. Datta, Sr. Adv.  
Mr. Gaurav Sethi, Adv.  
Mr. Aditya Giri, AOR

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

The appeal is partly allowed and disposed of in terms of the  
signed order.

Pending application(s), if any, shall stand disposed of.

(BABITA PANDEY)  
AR-CUM-PS

(R.S. NARAYANAN)  
ASSISTANT REGISTRAR

(Signed order is placed on the file)