

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 11278 OF 2026

JSW Steel Ltd

..Petitioner

Versus

Krunal Engineering Works, a sole Proprietorship
concern (Through the legal heir of Kamlakar V
Salvi, Since Deceased), Krunal Kamlakar Salvi

...Respondent

Dr. Abhinav Chandrachud, Sneha Jaisingh, Akshay Ayush and
Sannidhi Agrawal, i/b Bharucha & Partners, for the Petitioner.
Ms. Gauri K Jadhav, with Sneha M Dhatrak and Krutika Kharat, for
the Respondent.

CORAM: N. J. JAMADAR, J.

DATE : 11th SEPTEMBER 2026

ORAL ORDER:

1. Heard Dr. Abhinav Chandrachud, the learned Counsel for the
Petitioner and Ms. Gauri K Jadhav, the learned Counsel for the
Respondent.

2. The challenge in this Petition is to an order dated 3rd July 2026,
whereby the learned District Judge, Alibag-Raigad, has declined to
dismiss the Execution Petition, being Darkhast No. 188 of 2016,
instituted by the Respondent to execute an Award dated 8th May 2015,
passed by the Micro And Small Enterprises Facilitation Council, Konkan
Region.

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3. Dr. Chandrachud, the learned Counsel for the Petitioner, submitted that the Award, for the execution of which the said Execution Petition was filed, has itself been set aside by the Division Bench of this Court in Writ Petition No. 12897 of 2016 and the connected Applications, by a judgment and order dated 4th October 2021. Though the said judgment has been assailed before the Supreme Court by the Award Holder and the Supreme Court has issued notice in the matter, yet, there is no stay to the execution and operation of the decision of this Court. Resultantly, as of now there is no Award which can be executed.

4. The learned District Judge despite noting all the aforesaid facts has declined to dispose of the Execution Petition observing that since the Civil Appeal No. 1016 of 2025 is pending before the Supreme Court, it would not be in the interest of justice to dismiss the Execution Petition, until the decision of the Supreme Court in the said Appeal.

5. Ms. Jadhav, the learned Counsel for the Respondent, submitted that the view taken by the learned District Judge is justifiable as the Appeals are pending before the Supreme Court.

6. This Court finds it difficult to accede to the submission on behalf of the Respondent and also appreciate the view of the learned District Judge. The fact remains that there is no Award that can be executed. In the event the Respondent succeeds in the Appeal before the Supreme

Court and the Award is restored, the Respondent can revive the Execution Proceeding. Thus, there is no propriety in keeping Execution Petition alive as the Award itself has already been set aside.

7. Hence, the following order:

: O R D E R :

- (i) The Petition stands allowed.
- (ii) The Execution Petition; Darkhast No. 188 of 2016 stands disposed.
- (iii) It is however clarified that in the event the order passed by this Court setting aside the Award is reversed or set aside by the Supreme Court, the Respondent will be at liberty to revive the Execution Petition.

[N. J. JAMADAR, J.]