

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

**CIVIL APPEAL NO(S). _____ /2026
@ SLP (C) NO.22567/2026**

M/S ANCL AND CO. (INDIA) PVT LTD.

APPELLANT(S)

VERSUS

M/S JAGRAN SOCIAL WELFARE SOCIETY & ANR.

RESPONDENT(S)

O R D E R

- 1.** Heard
- 2.** Leave granted.
- 3.** The appellant and respondent entered into a contract on 14.11.2008 for carrying out construction work, containing an arbitration clause whereunder the President of the respondent(s) Society was agreed to be nominated as a sole arbitrator. On purported completion of the project, the appellant is said to have raised the bill and dispute between the parties having arisen on account of alleged delay in completion of the project, resulted in arbitration proceedings being initiated. In fact, no notice under Section 21 of the Arbitration and Conciliation Act, 1996 ("the Act") was issued.
- 4.** Be that as it may, the sole arbitrator is said to have proceeded to

adjudicate the claim of the respondent(s) herein by placing the appellant *ex parte*. Hence, an *ex parte* arbitral award came to be passed on 16.08.2011 for Rs.75,00,000/-. On various grounds appellant filed a petition under Section 34 of the Act which came to be dismissed after eight years, i.e., on 17.03.2020. Being aggrieved by the same, an appeal in Arbitration Appeal No.35/2020 under Section 37 has been filed which is pending before the High Court. An application for grant of stay of the award was also filed seeking absolute stay of the award on the ground of procedural illegality. By the impugned order, the High Court allowed the said application in part and directed the appellant herein to deposit 50% of the award amount as pre-condition for stay. Hence, this appeal.

5. This Court while issuing notice by order dated 09.07.2026 had stayed further proceedings in Execution (Comm.) No.253/2022 which was pending before the Court of District and Sessions Judge, South-East, Saket, New Delhi. The said order of stay is in operation till date.

6. Though the learned counsels appearing for the parties would raise several contentions, we refrain from scrutinizing the same for the simple reason that any scrutiny or examination of the rival contentions is likely to prejudice their rights in the appeal pending before the jurisdictional High Court. We are of the view if request is made, the High Court to dispose of Arbitration Appeal No.35/2020 expeditiously and preferably within six months from today it would suffice. The stay of execution proceedings which came to be granted by this Court if ordered to continue during the pendency of the appeal before the High Court would meet the ends of justice. It is needless to state that the jurisdictional High court would be at liberty to pass such other and further orders as it deems fit while disposing of the appeal by putting the parties to terms if they so desire. Accordingly, the appeal stands allowed in part.

7. Pending application(s), if any, stands consigned to records. No orders as to costs.

.....**J.**
(ARAVIND KUMAR)

.....**J.**
(VIPUL M. PANCHOLI)

**NEW DELHI;
AUGUST 21, 2026.**

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).22567/2026

[Arising out of impugned final judgment and order dated 24-03-2026 in AA No.35/2020 passed by the High Court of Madhya Pradesh Principal Seat at Jabalpur]

M/S ANCL AND CO. (INDIA) PVT LTD.

Petitioner(s)

VERSUS

M/S JAGRAN SOCIAL WELFARE SOCIETY & ANR.

Respondent(s)

IA No. 187212/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 187213/2026 - EXEMPTION FROM FILING O.T.

IA No. 187214/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Date : 21-08-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ARAVIND KUMAR
HON'BLE MR. JUSTICE VIPUL M. PANCHOLI

For Petitioner(s) : Mr. Udit Seth, Adv.
Mr. Anil Seth, Adv.
Mr. Ravi Shankar, AOR

For Respondent(s) : Mr. Nanju Ganpathy, Sr. Adv.
Mr. Ashutosh Mahajan, Adv.
Mr. Rohan Ganpathy, AOR

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

Leave granted.

Civil Appeal stands allowed in part in terms of the signed order placed on the file.

Pending application(s), if any, stands consigned to record.

(NEHA GUPTA)
COURT MASTER (SH)

(AJEET SINGH TARIYAL)
COURT MASTER (NSH)