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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

ARBITRATION PETITION (L) NO. 75 OF 2019

Rajendra Prasad Mada & Anr.

...Petitioners.

vs

Mathew Associates Hook-up & Weld
Services & Anr.

...Respondents

.....

Mr Cyrus Ardeshir a/w Ms Radhika Gupta I/b Wadia Ghandy & Co. for
the Petitioners.

Mr Onkar Gupte a/w Ms Minal Dedhia I/b Malvi Ranchoddas & Co. for
Respondent No.2.

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**CORAM : B.P.COLABAWALLA, J.
JANUARY 28, 2019.**

P.C. :

This Arbitration Petition has been filed under Section 29A of the Arbitration and Conciliation Act, 1996 (for short “the Act”) seeking an extension of time for a period of six months to complete the arbitration proceedings and pass a final award.

2 Respondent No.2 is represented through an Advocate. As far as Respondent No.1 is concerned, it is a Partnership Firm of which the Petitioners and Respondent No.2 are the partners. Learned advocate appearing on behalf of Respondent No.2 submitted that they have filed an application before the Arbitral Tribunal under Section

27(5) of the Act and which is pending. The apprehension of Respondent No.2 is that the said application should not, in any way, be prejudiced by virtue of any order passed in this Petition.

3 This being the case, without prejudice to the rights and contentions of Respondent No.2, the time to complete the arbitration proceedings and pass a final award is extended by a period of six months from today. The Arbitrator is requested to endeavor that not only the claim of the Petitioners but also the counter-claim filed by Respondent No.2, be decided in this extended period. Needless to clarify that all contentions of Petitioners herein in the counterclaim also are expressly kept open to be agitated before the Tribunal and which shall be decided on its own merits and in accordance with law.

4 The Arbitration Petition is disposed of in the aforesaid terms. No order as to costs.

(B.P.COLABAWALLA, J.)