

Arun

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
ARBITRATION PETITION NO. 1378 OF 2019**

Nazir Shaikh Hasan Naik & Ors	...Petitioners
<i>Versus</i>	
Rafiq Mahmood Naik	...Respondent

Mr Gaurav Mehta, *Ms Apurva Gupte, Ms Vinodini Srinivasan, Ms Nupur Raut and Ms Alefiyah Shipchandler, i/b Keystone Partners, for the petitioner.*
Mr Meit Sampat, *with Ms Ruchi Gandhi, i/b Little & Co, for Respondent.*

CORAM: G.S. PATEL, J
DATED: 4th November 2019

PC:-

1. Heard.

2. The Application is under Section 29-A of the Arbitration and Conciliation Act 1996. The dispute is between two branches of a family. Parties referred their disputes to the sole Arbitration of Mr DV Merchant, learned Senior Counsel of this Court. He was appointed by an order dated 20th April 2018 and entered upon the reference to his Arbitration on 15th May 2018.

3. There were actually two references to Arbitration. It is undisputed that since June 2018 significant progress has been made in one of these (not the subject matter of the present application). Pleadings are complete. The Respondent has filed an Affidavit in lieu of examination-in-chief of its only witness. Cross-examination of that witness has continued for some time. The Petitioner proposes to lead the evidence of one witness, and has filed an evidence affidavit, but now proposes to make an application to the learned Sole Arbitrator to allow a curtailment of that evidence.

4. In the reference in which this Application is made, evidence is yet to begin. Although evidence in the two references is not being taken in common, the evidence (if any) in the reference in which this application is made is not anticipated to take very long.

5. Parties previously consented to an initial extension of six months. The Arbitral Tribunal's mandate expires on 15th November 2019.

6. I am informed that an extension up to the end of April 2020 would probably be sufficient to complete the Arbitrations in both references.

7. Having regard to all these circumstances, I am inclined to allow a little extra time. In doing so, I bear in mind that the length or compactness of a cross-examination is often a function of the quality of the answers.

8. Time is therefore extended till 30th June 2020.
9. The Petition is disposed of in these terms. No costs.

(G. S. PATEL, J.)