

Arun

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMM ARBITRATION PETITION (L) NO. 1266 OF 2019**

Yogesh Premji Visaria And Anr	...Petitioners
<i>Versus</i>	
Rajlaxmi Developers and	...Respondent

Mr Atul S Umekar, *i/b Utangale & Co, for the Petitioners.*
Amruta Athavale, *i/b Aashish Suryavanshi, for Respondents Nos. 2, 3 and 6.*
Mr Piyush Raheja, *with Jigar Shah and Jay Kamdar, i/b M/s Markand Gandhi & Co, for Respondents Nos. 4 and 5.*
Mr Dhruv H Joshi, *i/b Harish Joshi & Co, for Respondent No.13*

CORAM: G.S. PATEL, J.
DATED: 22nd November 2019

PC:-

1. This is a petition under Section 29-A of the Arbitration & Conciliation Act, 1996.

2. The disputes between the parties are in the nature of partnership disputes. They were referred to the sole arbitration of Mr Shailesh Shah, learned senior advocate of this Court, by an order dated 19th September 2017. However, the heirs of a deceased partner were not joined to the arbitration application. Doing that

took time and there was a second order dated 26th September 2018 that allowed the arbitration to proceed against those heirs as well. Mr Shah entered upon the reference to his arbitration very shortly thereafter on 10th October 2018. Some of the legal heirs have not been regularly attending these hearings. Before the learned sole arbitrator pleadings are complete and the cross-examination of the claimant's first witness is under way.

3. Having regard to these circumstances and since it is not possible to say that any of the parties are responsible for this delay, and since matters are proceeding satisfactorily before the tribunal, I will extend the time for the completion of arbitration to 30th November 2020.

4. The petition is disposed of in these terms. There will be no order as to costs.

(G. S. PATEL, J)