



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

**Civil Application (CAO) No. 1350 of 2025
in
Misc. Civil Application (MCA) No.1533 of 2017**

**Avaneesh Logistics Private Limited
Versus
B.S.Ispat Ltd., Nagpur and others**

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri A.S.Kulkarni, Advocate for the applicant.
Shri Shadan Khan Advocate h/f Shri Masood Shareef
Advocate for the non-applicant.

**CORAM : NIVEDITA P. MEHTA, J.
DATED : 15th DECEMBER, 2025.**

The present application has been filed by the applicant under Section 29-A(5) of the Arbitration and Conciliation Act, 1996, seeking extension of time for completion of the arbitral proceedings.

2. The facts giving rise to the present application are that Shri S. D. Mohod, retired District Judge, was appointed as the sole Arbitrator to adjudicate the disputes between the parties on 22.03.2019. During the pendency of the arbitral proceedings, the statutory period of one year prescribed under Section 29-A(1) of

the Arbitration and Conciliation Act, 1996, was completed on 22.11.2020. However, excluding the period from 15.03.2020 to 28.02.2022, the said period of one year expired on or about 21.10.2022.

3. It is submitted that the learned Arbitrator was unable to proceed with the arbitral proceedings due to ill health, post-operative complications, and medical advice to take rest.

4. The applicant had moved an application seeking extension of time, which came to be allowed by this Court vide order dated 05.01.2024, thereby extending the time for completion of arbitral proceedings by a further period of six months. However, the arbitral proceedings could not be concluded within the said extended period. Thereafter, another application for extension of time was filed and was allowed by this Court on 12.09.2024, granting a further extension of six months. Subsequently, the applicant again moved Civil Application No. 375 of 2024, seeking extension of time, which was allowed by this Court vide order dated 29.04.2025, extending the time by a further period of six months.

5. Learned counsel for the applicant submits that the extended period expired during the Diwali Vacation, i.e., on 31.10.2025. However, the arbitral

proceedings could not be concluded as the non-applicant extensively cross-examined the applicant's witnesses. It is further submitted that the remaining proceedings can be concluded expeditiously if a further extension of six months is granted. Learned counsel submits that no serious prejudice would be caused to the non-applicant if such extension is granted.

6. Per contra, learned counsel for the non-applicant submits that appearance has been marked on behalf of non-applicant No. 1 since the year 2024. Learned counsel assures the Court that, if a further extension is granted, the arbitral proceedings shall be concluded within the extended period.

7. Upon considering the material on record and the submissions advanced by learned counsel for the respective parties, and being satisfied that sufficient cause is made out for granting an extension beyond the expiry of the prescribed period, solely in the interest of justice and to ensure effective and efficient adjudication of the dispute, the last and final extension, as contemplated under Section 29-A(5) of the Arbitration and Conciliation Act, 1996, is hereby granted.

8. The time for completion of the arbitral proceedings is accordingly extended by a further period of six months from the date of expiry of the earlier

extension. Both the parties shall cooperate and ensure that the arbitral proceedings are concluded within the extended period without seeking unnecessary adjournments.

The civil application is allowed and disposed of accordingly.

[NIVEDITA P. MEHTA, J.]