

IN THE HIGH COURT OF BOMBAY AT GOA

ARBITRATION APPLICATION NO. 1 OF 2020

**SHREE BALAJI CONCEPTS., THR. ITS
PARTNER, RADHA SATISH TIMBLO.,**

... Applicant

Versus

**NITESH HOUSING DEVELOPERS (P) LTD.
AND ANR.,**

... Respondents

**Mr. D. Pangam along with Mr. Parikshit S. Sawant, Advocates
for the Applicant.**

**Mr. Shivan Desai with Mr. Jatin Ramaiya, Advocates for
Respondents No.1 & 2.**

Coram:- M. S. SONAK, J.

Date:- 13th March, 2020

P.C.:

**Heard Mr. D. Pangam along with Mr. Parikshit S. Sawant
for the Applicant and Mr. Shivan Desai with Mr. Jatin Ramaiya
for Respondents No.1 & 2.**

**2. This application is now being disposed of by consent of the
learned counsel for the parties, in view of the position in law as
clarified by judgment and order dated 15.01.2020 in Writ
Petition No.3/2020 (Mormugao Port Trust v/s. Ganesh
Benzoplast Ltd.).**

3. Now, it is agreed that the District Court would be the appropriate court to consider and dispose of the applicant's application for extending the period for passing of the award in terms of Section 29-A(4) of the Arbitration and Conciliation Act, 1996 (said Act).

4. Accordingly, with the consent, the order made by the learned District Judge on 12.11.2019 in Civil Miscellaneous Application No.85/2019 is set aside and the Civil Miscellaneous Application No.85/2019 is restored to the file of the learned District Judge for disposal on its own merits and in accordance with law.

5. Again, with the consent leave is granted to the applicant herein to amend Civil Miscellaneous Application No.85/2019 to seek further extension, now that it is pointed out that the extended period is also due to expire on 17.03.2020. The amendment to be carried out within a week from the parties producing authenticated copy of this order before the learned District Judge and a copy of the amended application to be served upon the learned counsel appearing for the respondent.

6. The learned District Judge is requested to dispose of Civil Miscellaneous Application No.85/2019 as expeditiously as possible and in any case within a period of one month from the

date of production of authenticated copy of this order.

7. The parties to appear before the learned District Judge on 21.03.2020 at 2.30 p.m. and produce an authenticated copy of this Order.

8. This application is disposed of by consent in the aforesaid terms.

M. S. SONAK, J.

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