



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

971 CIVIL APPLICATION NO. 11249 OF 2023
IN ARB/12/2016

M/S SETUBANDHAN INFRASTRUCTURE LTD. RESOLUTION PROFESSIONAL
SANDEEP DAVIDASS MAHESHWARI

VERSUS

BALAJI MANDIR SANSTHAN TRUST JALGAON THR. CHAIRMAN

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Advocate for Applicant : Mr. D.B. Rode h/f. Mr. Vinod P. Patil

Advocate for Respondent : Mr. S.B. Yawalkar

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CORAM : ARUN R. PEDNEKER, J.

Dated : August 28, 2024

PER COURT :-

1. The judgment in the case of Sheela Chowgule Vs. Vijay V. Chowgule and Ors. in Writ Petition No. 88/2024 of the Full Bench dated 7.8.2024 is placed on record, wherein Larger Bench at clause (1) of para 34 is held as under:-

(i) In the event an Arbitral Tribunal constituted by the High Court under Section 11(6) fails to complete the proceedings within the stipulated period/extended period, then an application under Section 29-A(4) would lie to the High Court in case of a domestic arbitration."

2. In the instant case, the High Court has appointed Arbitrator in exercise of powers under section 11 (6) of the Arbitration Act. The term of the Arbitrator has come to end on 20.8.2023. In the order dated 1.7.2022, in para 2 the Arbitrator has noted as under :-

"2) It must be taken note of that, the mandate of the arbitrator shall come to an end by 20.8.2023. The arbitration applicant, if deemed necessary, may take appropriate steps before the next date, so as to continue with the proceedings, otherwise the proceedings shall have to be declared closed on 20.8.2023."

3. Considering the order of the Arbitrator, so also considering the application, time is extended by six months from 6.9.2024 to decide the arbitration proceeding No. 3/2021. The parties to appear before the Arbitrator on 6.9.2024. The application stands disposed of accordingly.

(ARUN R. PEDNEKER, J.)

ssc/