

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.2655 OF 2020
IN
ARBITRATION PETITION NO.82 OF 2014

M/s Amisha Buildcon Pvt. Ltd. .. Applicant

Versus

Jidnyasa Co-Operative Housing .. Respondent
Society Ltd.

...

Ms.Prerna Gandhi for the Applicant.

Ms.Namita Shirke i/b H.G.Misar for the Respondents.

...

CORAM: BHARATI DANGRE, J.

DATED : 03rd MAY, 2024

P.C:-

1. The present Application is filed seeking extension of the mandate of the Arbitrator, by a period of six months, so as to enable him to publish the Award.

The Application, being filed on 26/02/2020, in the meantime was dismissed for want of prosecution and on being restored, the Applicant was directed to file an additional affidavit, bringing on record the progress of the arbitral proceedings.

Accordingly, on 23/04/2024, an affidavit is placed on record, which is indicative of the fact that the proceedings continued before the learned Arbitrator and they have crossed the stage of filing the written submissions and are scheduled for rejoinder and sur-rejoinder arguments on 10/03/2022.

In the interregnum, the parties initiated talks of settlement and, since, the Respondent, being a Housing Society, comprised of 779 members, the settlement talks lingered for a long period of time, but ultimately failed.

The copy of the letter of the Respondent, indicative of the above, is also placed alongwith the affidavit. Once again, talks were re-initiated by the Respondent, which also could not fructify.

2. In this scenario, the arbitration proceedings remained pending and upon approaching the Tribunal, it is advised that an extension be sought from this Court.

3 The learned counsel for the Respondent do not dispute the aforesaid factual scenario and she do not oppose, for extending the mandate of the learned Arbitrator, by a period of six months from today.

Interim Application is, therefore, allowed, by extending the mandate of the learned Arbitrator by a period of six months from today.

(SMT. BHARATI DANGRE, J.)