



Arb. O.P. (Com. Div.) No.43 of 2025

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WEB COPY **ABDUL QUDDHOSE, J.**

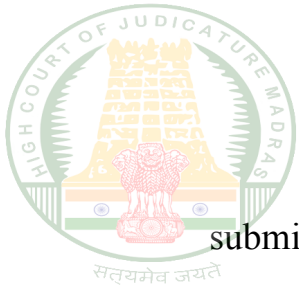
This petition has been filed under Section 34 of the Arbitration and Conciliation Act, 1996 seeking to challenge the impugned Arbitral Award.

2. The petitioners have raised the ground that since the contract, which was the subject matter of dispute before the arbitration is a determinable contract, the question of granting specific performance of the contract, as sought for by the respondent in the arbitration does not arise. According to the petitioners, arbitrarily, by total non application of mind to Section 14(d) of The Specific Relief Act, the Arbitrator has passed the impugned Arbitral Award granting the Specific Performance.

3. The petitioners have also challenged the impugned Arbitral Award on the ground that the arbitrator failed to take note of the fact that the respondent had committed breach of contract and the respondent is not ready and willing to perform his obligations under the contract.

4. According to the petitioners, the respondent has also submitted fabricated documents before the petitioners to secure the contract and therefore, it is hit by 16(a) of The Specific Relief Act.

5. The learned counsel for the petitioners has filed his written



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submissions and is ready to argue the matter. However, the learned
counsel for the respondent is yet to file his notes of submissions and
seeks time to file the same. At his request, post the matter finally on
21.04.2025.

03.04.2025

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