

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

ARBITRATION APPEAL NO.70 OF 2024

Prashant Vasant Koregaonkar & Ors.	...Appellants
Versus	
Competent Authority Through	
Deputy Collector & Anr.	...Respondents

WITH
ARBITRATION APPEAL NO.60 OF 2024

Ashwashilp Agriculture Pvt. Ltd.	...Appellant
Versus	
Competent Authority Through	
Deputy Collector & Anr.	...Respondents

WITH
ARBITRATION APPEAL NO.66 OF 2024
WITH
ARBITRATION APPEAL NO.65 OF 2024

Rajendra M. Developers & Builders Pvt. Ltd.	...Appellant
Versus	
Competent Authority Through	
Deputy Collector & Anr.	...Respondents

WITH
ARBITRATION APPEAL NO.63 OF 2024

Ganga Developers & Godavari Developers	...Appellant
Versus	
Competent Authority Through	
Deputy Collector & Anr.	...Respondents

WITH
ARBITRATION APPEAL NO.59 OF 2024

Kanaji Raghavji Thakkar (Deceased)	...Appellant
Versus	
Competent Authority Through	
Deputy Collector & Anr.	...Respondents

**WITH
ARBITRATION APPEAL NO.61 OF 2024**

Jitendra Mandhardas Thakker & Ors.	...Appellants
Versus	
Competent Authority Through Deputy Collector & Anr.	...Respondents

**WITH
ARBITRATION APPEAL NO.62 OF 2024**

Kavita Kanji Thakkar	...Appellant
Versus	
Competent Authority Through Deputy Collector & Anr.	...Respondents

**WITH
ARBITRATION APPEAL NO.64 OF 2024**

Chetan Giridharlal Bataviya	...Appellant
Versus	
Competent Authority Through Deputy Collector & Anr.	...Respondents

Mr. Aniesh S. Jadhav, *Advocate for Appellants.*

Respondents were represented, but the appearance has not been given.

CORAM: SOMASEKHAR SUNDARESAN, J.

DATE : MARCH 13, 2025

PC :

1. These are Appeals filed under Section 37 of the Arbitration and Conciliation Act, 1996 (“*the Act*”).

2. Arbitration Appeal No.59 of 2024 shall be treated as the lead matter. The sole issue that arises for consideration is whether the grant of solatium which is said to be a statutory right would constitute a modification of the Arbitral Award, which is prohibited under the Act.

3. Heard Learned Counsel for the parties for an overview of the matter. Based on the nature of the issues involved and bearing in mind the scope of jurisdiction under Section 37 of the Act, Learned Counsel have graciously agreed that the Appellant shall take not more than **20 minutes** and the Respondents shall take no longer than **20 minutes** for verbal arguments in the matter.

4. Towards this end, the parties shall file a short Note on Submissions, not exceeding five pages, along with page and case law references, focusing on the scope of Section 34 of the Act, and setting out the manner in which the points canvassed by them ought to be accepted by this Court.

5. It is made clear that the time commitments made above shall bind the parties, and such time shall be utilized at the discretion of the Counsel for verbalizing the pivotal submissions, resting assured that the rest of their contentions from their Note on Submissions, would be dealt with by the Court.

6. With the aforesaid commitments, stand over to ***April 3, 2025***, for final hearing and disposal.

7. All actions required to be taken pursuant to this order, shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]