
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 355 OF 2025
IN
ARBITRATION APPEAL NO.24 OF 2022

Ratnakar Anaya Shetty

...Applicant

Versus

Saschendra Sadashiv Shetty & Ors

...Respondents

Mr. Harshad Inamdar, (appeared through VC) for the Applicant.

Mr. Amit Gharte, i/b Amey Deshpande, for Respondent Nos.1, 2 & 3.

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : FEBRUARY 21, 2025

PC :

1. This is an application filed invoking Section 29A of the Arbitration and Conciliation Act, 1996 (“***the Act***”).

2. The facts of this case are as follows:-

A) By an order dated March 30, 2023, a Learned Single Judge of this Court was pleased to appoint a Learned Sole Arbitrator at the request of this very Applicant, under opposition from the Respondent;

- B) The Learned Arbitrator so appointed passed away within a month of his appointment;
- C) By an order dated June 6, 2023, another arbitration was appointed by another Learned Single Judge.

3. The mandate of the arbitral tribunal expired on October 13, 2024. Considering that the pleadings had been completed way before the current arbitrator came to be appointed, and the matter had to be conducted afresh, and also taking into account the fact that the Applicant had to move this Court under Section 11 just to get the arbitral tribunal appointed, I don't see any merit in holding up this application any further.

4. The objection raised by the Respondent is primarily that there ought to have been a separate Petition under Section 29-A and an application filed in a disposed-of Appeal.

5. While this is technically an accurate contention, given the substance of the application, I do not see a need to hold up extension of the mandate of the arbitral tribunal by a period of one year from today i.e. *until February 20, 2026*.

6. In these circumstances, this Interim Application is *finally disposed of* granting an extension as aforesaid.

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.]