

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 7503 OF 2025
IN
ARBITRATION APPEAL (ST.) NO. 25858 OF 2024

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Project Director,
National Highways Authority of India

...Applicant

Versus
Gaubai Lahanu Jore & Ors.

...Respondents

Ms. Kajal Gupta, a/w Shweta Singh, i/b M.V. Kini & Co., for Applicant.

CORAM : SOMASEKHAR SUNDARESAN, J.

Date : July 25, 2025

Order :

1. Having examined the Application seeking condonation of delay and the affidavit in reply filed on behalf of the Respondents, it is evident that the decision taken on February 5, 2025 ***in Executive Engineer National Highway Division vs. Sanjay Shankar Surve & Ors.*** (Arbitration Appeal (L) No.8703 of 2024) would squarely cover this Application as well.

2. In the judgement dated February 5, 2025, references are drawn to the decision of the Supreme Court in ***Borse Brothers***¹ as well as ***Postmaster***

¹ *Executive Engineer v. Borse Brothers Engineers and Contractors Private Limited – (2021) 6 SCC 460*

General² and it was pointed out that the grounds set out in the Application being, flimsy and vague, do not lend themselves to acceptance.

3. I see no reason to deviate in the approach to this Application, and in fact, this Court must be consistent in its approach across all Applications for condonation of delay.

4. Consequently, this Application for condonation of delay is rejected for the very same reasons as set out in the decision in Arbitration Appeal (L) No.8703 of 2024. Since the delay is not being condoned, the Arbitration Appeal cannot be entertained.

5. 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.]

² *Postmaster General v. Living Media (India) Ltd.* – (2012) 3 SCC 563