

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

ARBITRATION PETITION NO. 77 OF 2025

Guardian Promoters and Developers Pvt Ltd

...Petitioner

Versus

Yeshwant Govind Sakhare and Anr.

...Respondents

Mr. Karl Tamboli, a/w Avinash Joshi, Neeta Patil, i/b S.R. Nargolkar, for the Petitioner.

Mr. Vishwajit Sawant, Senior Advocate, a/w Apurva Mahadik, i/b Prakash Mhadaki, for Respondents.

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : OCTOBER 3, 2025

ORDER:

1. This is a Petition filed under Section 11 of the Arbitration and Conciliation Act 1996 (“***the Act***”).

2. The fundamental grievance due to which this Petition was filed appears to be the contents of paragraph 4(h) in an order passed by a Learned Single Judge of this Court on November 25, 2024, which indicates that the Fourth Schedule of the Act governing fees would not be applicable. However, not only has the law been declared on the applicability of the Fourth Schedule of the Act but also Learned Senior Counsel for the Respondent points out that the arbitral tribunal has

already clarified that it would charge fees in accordance with the Fourth Schedule of the Act.

3. In these circumstances, nothing survives in this Petition. This Petition is *finally disposed of*.

4. 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.]