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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 6993 OF 2025
IN
ARBITRATION APPEAL NO. 12 OF 2025**

Sneha Hill View Development Pvt. Ltd.
Through Authorized Director Nandu
Anantram Rajput

... Applicant/Appellant

V/s.

Rohan Builders LLP through Partner
Suhas Khushalchand Lunkad

... Respondent

Mr. Ganesh Bhujbal for Applicant/Appellant
Mr. Girish Godbole, Senior Advocate i/b. Ms. Manjiri S. Parasnis for the
Respondent

**CORAM : ALOK ARADHE, CJ. AND
SANDEEP V. MARNE, J.**

DATE : 18 JUNE 2025

P.C. :

1. This Appeal, under Section 37 of the Arbitration and Conciliation Act, 1996, is directed against the order dated 20 February 2025, by which, an application filed by the Appellant under Section 5 of the Limitation Act, 1963 seeking condonation of delay of 574 days in filing the Appeal, under Section 34 of the Arbitration and Conciliation Act, 1996 has been rejected.

2. Section 34(3) of the Arbitration and Conciliation Act, 1996 reads as under :-

“ An application for setting aside may not be made after three months have elapsed from the date on which the party making that application had received the arbitral award or, if a request had been made under Section 33, from the date on which that request had been disposed of by the arbitral tribunal :

Provided that if the Court is satisfied that the applicant was prevented by sufficient cause from making the application within the said period of three months it may entertain the application within a further period of thirty days, but not thereafter.”

3. Thus, it is evident that the application for condonation of delay has rightly been rejected as delay beyond a period of 120 days cannot be condoned by any Court.

4. However, Mr. Ganesh Bhujbal, learned Counsel for the Applicant prays for an adjournment on the ground that arguing Counsel is not available.

5. List after four weeks.

(SANDEEP V. MARNE, J.)

(CHIEF JUSTICE)