

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 12119 OF 2025
IN
ARBITRATION PETITION NO. 72 OF 2025

Sulochana Maruti Sabale & Ors.

...Applicants

Versus

M/s. Gagan R K Realty Developers

...Respondent

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Mr. Vilas Tapkir *for Applicant.*

Mr. Dheeraj Patil, *for Respondent.*

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : SEPTEMBER 30, 2025

ORDER :

1. The matter has been listed at the request filed in a Praecipe owing to multiple alternation about who the arbitrator should be.
2. The matter has been listed at the request filed in a Praecipe owing to multiple alternation about who the arbitrator should be. By an order dated April 29, 2025, Justice R.P. Soundurbaldota, retired Judge of this Court was appointed as an arbitrator. The parties then moved a praecipe stating that they had consent to proceed before a different arbitrator, namely, Justice (Retd.) Shalini Phansalkar Joshi.

Based on the praecipe, the order was corrected to replace the arbitrator taking into account the consent of the parties. However, unaware of this correction, the parties have proceeded to commence arbitration before Justice (Retd.) R.P. Soundurbaldota. Therefore, the order dated April 29, 2025 which was corrected by the order dated May 9, 2025 deserves to be reinstated to the original position. Since the parties have full consensus on continuing with the arbitration as originally ordered on April 29, 2025, the order dated May 9, 2025 is hereby recalled, and thereby, the consequential corrections effected to the order of April 29, 2025 is also stand withdrawn. The original order dated April 29, 2025 shall stand reinstated. In the interest of clarity, by consent of the parties, the order dated April 29, 2025 in its original form shall be uploaded as the corrected order, on the website of this Court.

3. The Interim Application 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.]