
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL ARBITRATION PETITION NO. 23 OF 2024

Reliance Infrastructure Ltd.

...Petitioner

Versus

Mumbai Metropolitan Region Development
Authority

...Respondent

Mr. D.J. Kakalia, *a/w Paresh Patkar & Kartik Hede, i/b Mulla & Mulla & Craigie Blunt & Caroe, for the Petitioner.*

Mr. Shardul Singh, *a/w Prachi Garg & Manav Jain, i/b DSK Legal for Respondent.*

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : JANUARY 21, 2025

PC :

1. This Petition has been filed under Section 29-A of the Arbitration and Conciliation Act, 1996 (“***the Act***”) seeking extension of mandate of the arbitral tribunal, which had expired on July 31, 2021.

2. Since this Petition has been overtaken by the sheer efflux of time, a new Application seeking a fresh extension of time has been filed. Learned Counsel for the Petitioner submits that said Application has been numbered as Commercial Arbitration Petition No.53 of 2025 on January 18, 2025.

3. Today, when the matter is called out, Learned Counsel for the parties have drawn my attention to a procedural order dated March 30, 2022, passed by the arbitral tribunal, which states the following:-

“An Application is filed on behalf of the Claimant that this dispute may be taken up for hearing after passing the award in METRO-1. Mr. Gaurav Joshi, Learned Senior Counsel for the Respondent states that the matter is left to the discretion of the Tribunal in this regard. Having regard to the contents of the application and looking to the disputes in METRO-1, METRO-4 and METRO-5, the Tribunal considers it appropriate to defer the hearing of this dispute till after passing the award in METRO-1.”

[Emphasis Supplied]

4. In view of the aforesaid observation, it would only be fair to allow this Petition since parties confirm that the award under the “Metro 1” has already been passed.

5. Learned Counsel for the Respondent needs to take instructions as to the period of time for which the extension may be granted so that the extension is meaningful, and the parties having invested time and resources on the proceedings.

6. In these circumstances, let Commercial Arbitration Petition No. 53 of 2025 along with this Application come up under the same caption tomorrow i.e. **January 22, 2025.**

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.]