

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION NO. 346 OF 2024

Vinod Kumar Sharma ...Petitioner

Versus

Nuclear Power Corporation of India Ltd. ...Respondent

AND

ARBITRATION PETITION NO. 351 OF 2024

Shivshakti Enterprises through Proprietor Vinod Kumar Sharma ...Petitioner

Versus

Nuclear Power Corporation of India Ltd. ...Respondent

Mr. Hussain Dholkawala, for the Petitioner.

Mr. Rohit P. Karhadkar, for Respondent.

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : JANUARY 10, 2025

PC :

1. The captioned Petitions relate to two distinct arbitral awards, but both relating to the same nature of work carried out by the Petitioner for the Respondent. The short issue for consideration is whether the Petitioner was entitled to an escalation of price in terms of the general conditions of the contract governing the work awarded to the Petitioner.

2. Today, after the matter was called for hearing the Learned Counsel for the parties for a brief overview of the matter, Learned Counsel for both the sides have graciously agreed that they will restrict the arguments to half an hour each, bearing in mind, the contours of Section 34 of the Act governing the challenge to arbitral awards.

3. It is seen from the record that on November 27, 2024, the Respondent had been given two weeks' time to file a reply, but no reply has been filed till date. Today, Learned Counsel for the Respondent seeks, as a last chance, two more weeks' time to file a reply. As a last chance, the time to file a reply is extended until January 27, 2025. Rejoinder, if any, shall be filed no later than February 3, 2025.

4. By consent, stand over to ***February 7, 2025***. It is made clear that the matter shall be heard finally and disposed of on that date, regardless whether any reply is on record.

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.**]