

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMMERCIAL ARBITRATION PETITION NO. 445 OF 2024**

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ATUL PROJECTS INDIA PVT. LTD.

....Petitioner

Versus

ASHADEVI RAJENDRAKUMAR GUPTA

....Respondent

Mr. Ravi Prakash, Senior Advocate *a/w. Mr. Karl Tamboly, Jash Shah, Varun Karla i/b DSK Legal, for Petitioner.*

Mr. Simil Purohit, Senior Advocate *a/w. Mr. Anush Mathkar Aastha Kaushal, Vihit Shah i/b Cyril Amarchand Mangaldas, for Respondent.*

CORAM : SOMASEKHAR SUNDARESAN, J.

Date : January 13, 2025

P. C.

1. To enable appropriate consideration of this Petition under Section 9 of the Arbitration and Conciliation Act, 1996, filed after passing of the Impugned Award dated October 19, 2023, list this Petition along with Commercial Arbitration Petition No. 690 of 2024 (*Atul Projects India Private Limited vs. Ashadevi Rajendrakumar Gupta*) and Commercial Arbitration Petition (Lodg.) No. 13553 of 2024 (*Ashadevi Rajendrakumar Gupta Vs. Atul Projects India Private Limited*), on February 17, 2025.

2. Having had an overview of the matter for estimating the time required for final disposal of the two core challenges under Section 34 of the Act, Learned Senior Counsel for the parties have graciously agree that the Petitioner in Comm. Arbitration Petition (L.) No. 690 of 2024 would not need more than **90 minutes** to make his submissions in the matter. Learned Senior Counsel for the Petitioner in Commercial Arbitration Petition (Lodg.) No. 13553 of 2024 submits that he would need not more than **30 minutes** to make his submissions in the cross challenge.

3. Since Learned Senior Counsel for Atul Projects in Comm. Arbitration Petition (L.) No. 690 of 2024 would have the burden of presenting the facts of the case, the time allocated to him is consciously longer than the time allocated to the other party. With the commitments graciously made by the Learned Senior Counsel for both parties, stand over to final hearing and disposal on ***February 17, 2025***.

4. Each party shall file a crisp Note on Submissions and Propositions along with case references, and page references, not exceeding five pages, to present their case within the time frame committed by them above, resting assured that anything not covered in verbal arguments, would be read by the Court outside the verbal hearing. The parties are free to utilize the time

committed to, in order focus on what they would feel is appropriate to convince the Court about their point of view.

5. In these circumstances, stand over to ***February 17, 2025***.

6. 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.]