

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMMERCIAL ARBITRATION PETITION NO.317 OF 2024

Tata Motors Finance Ltd.

...Petitioner

Versus

EMI Infrastructure Pvt. Ltd. & Ors.

...Respondents

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Ms Iraa Dube Patil *i/b. Jay & Co., Advocate for Petitioner.*

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CORAM: SOMASEKHAR SUNDARESAN, J.

DATE : JANUARY 13, 2025

P.C :

1. This is a Petition under Section 29-A of the Arbitration and Conciliation Act, 1996 (*"the Act"*).
2. The facts of the matter are indeed peculiar. The mandate of the arbitrator had expired on February 27, 2023, which is nearly one year after the suspension of limitation due to Covid-19 that was effected by the Supreme Court. The Application came to be filed on May 4, 2024.
3. Learned Counsel for the Petitioner submits that pleadings before the Arbitrator are complete, but the matter languished for want of the mandate being extended.

4. It is seen that the Learned Counsel for the Respondents had not appeared on September 20, 2024, as well as on October 4, 2024. On that date, a Learned Single Judge of this Court was pleased to permit fixation of notice at a conspicuous place in the place of business, if any, of the Respondents.

5. Learned Counsel for the Petitioner has placed on record a service affidavit dated November 19, 2024, and another affidavit dated November 21, 2024, as also November 22, 2023.

6. Being satisfied with the service of notice, it would be in the fitness of things to extend the mandate of the arbitral tribunal by a period of nine months from today until October 12, 2025.

7. In these circumstances, the mandate of the arbitrator is hereby formally extended until October 12, 2025.

8. The Petition is *finally disposed of* in the aforesaid terms.

9. 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.]