
**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION NO. 310 OF 2025**

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Sheth & Company

... Petitioner

Vs.

Union Of India

Through Ministry Of Railway

.. Respondent

Mr. Sumit Rai *a/w. Ratan Singh and Ankit Ujjwal i/b Agama Law Associates,
for Petitioner.*

None for Respondent.

CORAM : SOMASEKHAR SUNDARESAN, J.

Date : August 11, 2025

Order :

1. This is a Petition under Section 9 of the Arbitration and Conciliation Act, 1996.

2. By an order dated June 17, 2025, it was made clear that a case had been made out for a stay on that portion of the cancellation which purports to impose a penalty. Since, the agreement neither contemplated imposition of any penalty nor permitted unilateral recovery, the matter was stood over to enable the Respondent to come up with an acceptable name of an arbitrator so that the matter could be transitioned to the arbitral tribunal.

None for the Respondent today.

3. Learned Counsel for the Petitioner submits that considering the nature of *interim* relief already granted, for the sake of clarity, it may be confirmed that the *interim* relief granted is in terms of prayer clause (b), which reads thus :

(b) that pending the hearing and final disposal of the arbitral proceedings and until execution of the Arbitral Award, this Hon'ble Court be pleased to direct the Respondent and other Zonal Railways to not make any deduction or any action, relying upon the contents of the letter dated 01st April 2025.

4. The request is reasonable. The *interim* relief granted on June 17, 2025 is clarified as being in terms of prayer clause (b) extracted above. Since none appears for the Respondent, purely to give them another opportunity to come up with the name of an arbitrator, stand over to ***September 2, 2025***.

5. Learned Counsel for the Petitioner shall communicate this order to the Respondent.

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.]