
IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMMERCIAL ARBITRATION PETITION NO.337 OF 2025

Prism Johnson Limited

...Petitioner

Versus

Gammon Dunkerly & Co. Ltd.

...Respondent

Mr. Vyom Shah a/w *Adv. Jimish Shah and Adv. Anand Iyer i/b Divya Shah Associates, Advocates for Respondent.*

CORAM: SOMASEKHAR SUNDARESAN, J.

DATE : MAY 2, 2025

PC :

1. This Petition has been filed under Section 29-A of the Arbitration and Conciliation Act, 1996 (*"the Act"*).

2. By an Order dated January 21, 2025, taking on Board the submissions made by the parties that the arbitration proceedings had been divided into two stages (on the premise that based on the outcome of the first stage the Arbitral Tribunal may or may not have to deal with the second stage), the mandate of the Arbitral Tribunal had been extended until April 20, 2025. It is common ground that the first stage has been dealt with by a partial award dated March 14, 2025 and the challenge to the same is under consideration by the Respondent.

3. Being a month and half since the partial award was passed and taking note of the fact that the Respondent is still seeking advise on how to formulate an attack to the partial award, the request that a decision on this Petition under Section 29-A be deferred to await the

outcome of the challenge to the partial award is untenable. The Respondent is indeed entitled to challenge the partial award, but that is no reason to withhold consideration of this Petition for extension of mandate for the second stage. Evidently, based on the outcome at the first stage, the second stage has become necessary.

4. In these circumstances, without expressing any opinion on the merits or the relative strength of the parties to challenge the partial award as perceived by the Respondent, no useful purpose would be served by keeping this Petition under Section 29-A pending any further. In these circumstances, although the request for extension is for a period of 18 months, in my opinion, it would be appropriate to extend the mandate *until December 31, 2025*.

5. This Petition is *finally disposed of* in the aforesaid terms.

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.]