

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMMERCIAL ARBITRATION PETITION NO.855 OF 2025

The President of India through Chief Engineer
(Construction) / CPM / NGP Central Railway ... Petitioner

Vs.

KEC International Limited ... Respondent

WITH
INTERIM APPLICATION (L) NO.31606 OF 2025
WITH
INTERIM APPLICATION (L) NO.25856 OF 2025
IN
COMMERCIAL ARBITRATION PETITION NO.855 OF 2025

Mr. Narayan R. Bubna for Petitioner.

Mr. Mustafa Doctor, Senior Advocate a/w. Mr. Anuj Athalye, Mr. Nitin Jain,
Mr.Rohan Gupta i/b. Legasis Partners for Respondent.

CORAM : MANISH PITALE, J.
DATE : NOVEMBER 21, 2025

P.C. :

. At the outset, Mr. Bubna, learned counsel for the petitioner submits that permission may be granted to delete the words ‘the President of India through’ wherever they have been used in this petition.

2. Permission is granted. The amendment be carried out within two weeks from today.

3. Heard learned counsel for the petitioner.

4. It is submitted that by the impugned arbitral interim award, the tribunal has effectively re-written the contract itself, which cannot be

permitted and that, this is a good ground for interference under Section 34 of the Arbitration and Conciliation Act, 1996.

5. Issue notice, returnable on 08.01.2026.

6. It is made clear that this Court may consider finally disposing of the petition on the returnable date. In the meanwhile, within four weeks from today, reply affidavit be filed. Rejoinder affidavit, if any, be filed within a week thereafter.

7. Liberty to mention in case of urgency.

(MANISH PITALE, J.)

Minal Parab