

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION (L) NO. 19580 OF 2025
WITH
INTERIM APPLICATION NO. 1720 OF 2025
IN
COMMERCIAL ARBITRATION PETITION (L) NO. 2956 OF 2025**

Sundarlal Sewailal Jain ...Applicant

Versus

Rishabh Rodilal Jain ...Respondent

Mr. Vyom Shah, Counsel, a/w Aditi Bhargava, Saurabh Jain, i/b Divya Shah Associates, for the Applicant.

Mr. Rishabh Rodilal, Respondent present in person.

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : JULY 28, 2025

ORDER :

1. Interim Application No.1720 of 2025 is an Application seeking condonation of delay. It is common ground that the arbitral award dated September 25, 2024 was received on the same date. The three month period thereafter would expire on December 25, 2024. The Petition under Section 34 has been filed on January 22, 2025 which is just within the period in which this Court has jurisdiction to condone the delay.

2. Having heard the parties and having examined the pleadings in the Application seeking condonation of delay, the delay in filing of the Petition is condoned. The Petition may be numbered by the Registry and listed accordingly.

3. The aforesaid Interim Application is *finally disposed of*.

4. Interim Application (L) No.19580 of 2025 is an Application seeking stay of the impugned award. Having heard Learned Counsel for the Applicant / Petitioner, since the existence of a jurisdictional fact is being raised as an issue, this would need consideration. However, no case for automatic stay is made out.

5. Should the amount awarded be deposited within a period of six weeks from the date of upload of this order, the execution of the Impugned Award shall remain stayed. If no such deposit be made, it is made clear that there would be stay in operation.

6. A case management hearing was also conducted. Heard Learned Counsel for the parties for an overview of the matter. Based on the nature of the issues involved and bearing in mind the scope of jurisdiction under Section 34 of the Act, Learned Counsel have graciously agreed that the Petitioner shall take not more than **15**

minutes and the Respondent shall take no longer than ***15 minutes*** for verbal arguments in the matter.

7. Towards this end, the parties shall file a short Note on Submissions, not exceeding five pages, along with page and case law references, setting out the manner in which the points canvassed by them ought to be accepted by this Court.

8. It is made clear that the time commitments made above shall bind the parties, and such time shall be utilized at the discretion of the Counsel for verbalizing the pivotal submissions, resting assured that the rest of their contentions from their Note on Submissions, would be dealt with by the Court.

9. With the aforesaid commitments, stand over to ***September 2, 2025***, for ***“Final Hearing- Section 34”***.

10. 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.]