

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION**

**INTERIM APPLICATION NO. 6122 OF 2025
IN
COMM. ARBITRATION PETITION (L) NO. 31838 OF 2025**

National Insurance Company Limited	...	Applicant
Versus		
Seabird Logisolutions Ltd.	...	Respondent

Mr. Premlal Krishnan i/by S. S. Dwivedi for the Applicant.
Ms. Ankita Singhanian a/w Ms. Smiti Tewari and Mr. Nayan Mahar
i/by M/s. Khaitan Legal Associates for Respondent.

**CORAM : MANISH PITALE, J.
DATE : 4th DECEMBER 2025**

P.C. :

1. By this application, the applicant (original petitioner) is seeking condonation of delay of 18 days in filing the accompanying petition under Section 34 of the Arbitration and Conciliation Act, 1996, to challenge the impugned arbitral award. It is an admitted position that the petition has been filed within the extended period of 120 days available under Section 34 of the said Act.

2. The learned counsel appearing for the petitioner relies upon the contents of the application to press the prayer for condonation of delay.

3. The learned counsel for the respondent has vehemently

opposed the prayer made in the application, submitting that the reasons stated in the application are inadequate. It is submitted that specific reasons stated in paragraph 5 of the application are untenable for the reason that the officer who has verified the application, is the very officer before whom the insurance claim was made.

4. Reliance is placed on judgment and order dated 12th September 2025 passed by the Supreme Court in Civil Appeal No. 11794 of 2025 (*Shivamma (dead) by LRs v/s. Karnataka Housing Board & Ors.*), particularly paragraph 261 thereof.

5. This Court has considered the rival submissions. A perusal of the application shows that reasons have been stated as to why there is 18 days delay in filing the accompanying petition. It is specifically stated in paragraph 5 that the applicant being a large public sector undertaking, some time was consumed in consulting lawyers and taking internal approvals for filing the petition.

6. The reasons stated in the application are found to be satisfactory to explain the short delay of 18 days in filing the accompanying petition. The judgment of the Supreme Court *Shivamma (dead) by LRs v/s. Karnataka Housing Board & Ors.* (supra) relied upon on behalf of the respondent, is factually distinguishable, simply for the reason that in the said case, huge delay of 3966 days was casually condoned by the High Court in the context of a Government Corporation/Board. In the present case, the delay is of a short period and the reasons stated in the

application are found to be satisfactory. Hence, the objections raised on behalf of the respondent are rejected and the application is allowed.

7. Accordingly, the delay in filing the accompanying petition is condoned and the application is disposed of.

MANISH PITALE, J.