



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CIVIL APPLICATION (CAO) NO 601 OF 2025

IN

MISC. CIVIL APPLICATION (ARB) NO 434 OF 2022

(Dr. Ashish Rajkumar Bhiwapurkar Vs. M/s. Himalaya Infra Projects)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. B.A. Ojha, Advocate h/f Mr. R.M. Bhangde, Advocate for the applicant.
Mr. R.R. Chakole, Advocate for non-applicant.

CORAM : ABHAY J. MANTRI, J.

DATED : 25-07-2025

Heard.

2. The applicant has filed this application under section 29-A(4) of the Arbitration and Conciliation Act, 1996, for which learned counsel for the non-applicant, on instructions, has consented to the extension of time. Accordingly, he has filed Pursis bearing Stamp No.7/2025, dated 24.07.2025, wherein he has categorically stated that *“the non-applicant has no objection to extend the time of six months for completion of the arbitration proceedings.”*

3. It appears that vide order dated 14.10.2022, the Arbitrator was appointed. Accordingly, the parties have appeared before the Arbitrator, and the pleadings were completed on 18.03.2023. The 18-month period expired on 17 October 2024. Then, the first Arbitrator has recused himself on 24.02.2024. In view of the recusal of the earlier Arbitrator, Shri. Justice B.P. Dharmadhikari (former Chief Justice) was appointed as the Arbitrator on 04.07.2024. It is further contended that the period between 24.02.2024 to 28.09.2024 will have to be excluded from reconstituting the arbitral proceedings. The proceedings were also fixed for examination of the witness on 14.06.2025; however, before that, i.e. on 21.05.2025, the period had

expired, and therefore, the applicant has moved this application, for which the learned counsel for the non-applicant does not dispute the above facts and has given no objection to extend the mandate for a further period of six months.

4. Having considered the above factual position and no objection of the respondent, I deem it appropriate to extend the mandate of the Arbitration proceedings for a further six months from the day they appear before the Arbitral Tribunal. The parties shall appear before the Arbitral Tribunal on 01.08.2025. The application is allowed in terms of the prayer clause. Accordingly, the period of six months, from 01.08.2025, is extended. The application is disposed of.

(ABHAY J. MANTRI, J.)

Belkhede