



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

CIVIL APPLICATION (O) NO. 688 OF 2025

IN

MISC. CIVIL APPLICATION NO. 157 OF 2021 (D)

(Automotive Manufacturers Pvt.Ltd. vs. Shivkumar Lalji Patel and others)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders or the directions,
and Registrar's orders.*

Court's or Judge's order

Mr. Shraddhanand Bhutada with Mr.Yash Maheshwari, Advocates
for the applicant.

CORAM : ABHAY J. MANTRI, J.

DATE : AUGUST 01, 2025

1) Heard learned counsel for the applicant. None appears for the respondents, though they served.

2) This is an application seeking extension of the mandate of the Arbitral Tribunal for a further period of one year.

3) On perusal of the record, it appears that on issuance of the notice, on 22/07/2025 learned counsel Mr.Harshal Jichkar appeared for the respondents and seeks one week time to file reply, accordingly, time was granted and matter was listed on 31/07/2025, however, none appears for the respondents, nor filed any reply, therefore, the matter was proceeded without their reply. Despite the said fact, today also none appear for the respondents.

4) It further appears that by order dated 23/08/2022, Justice Mrs. Pushpa V. Ganediwala (former Judge) was appointed as an Arbitrator to resolve the dispute between the parties. Accordingly, parties appeared before the learned Arbitrator on 20/12/2022 and pleadings were completed on

20/04/2024. One year from the said period expired on 19/04/2025.

5) It also appears that during the pendency of the proceedings, the respondents have challenged the order dated 23/08/2022 before the Hon'ble Apex Court, wherein notice was issued to the parties. The said Special Leave Petition was pending before the Hon'ble Supreme Court till 24/03/2025, on that date, the Special Leave Petition was dismissed. Therefore, it is contended that the Arbitral Proceeding could not be completed within the stipulated time. Thus, the applicant has moved this application for extension of the mandate of the Arbitral Tribunal for a further period of one year.

6) It is to be noted that despite appearance, the respondents failed to file a reply. The said fact itself leads to the inference that they have no objection to extending the mandate of the Arbitral Tribunal for a further period.

7) Having considered the above facts and reasons disclosed in the application, it would be proper to extend the mandate of the Arbitral Tribunal to resolve the dispute between the parties. If the mandate is extended, it would not prejudice the rights of the respondents, but it would help to determine the controversy between the parties. As such, the application is partly allowed. The mandate of the Arbitral Tribunal is extended for a further period of six months from the date of appearance of the parties before the Arbitrator on 11/08/2025.

6) Application is disposed of accordingly.

(ABHAY J. MANTRI, J.)