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IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO.80 OF 2026

IN

APPLN. FOR APPOINTMENT OF ARBITRATOR NO.14 OF 2023

NEWTON FRANK SAVIO DIAS @ NEWTON

DIAS

... APPLICANT

Versus

NECTOR GILBERT DIAS @ NECTOR DIAS

AND ANR

... RESPONDENTS

Mr. Rai Kiran Ashok, Advocate for the Applicant.

CORAM:- VALMIKI MENEZES, J.

DATED :- 11th February, 2026

P.C.:

1. Registry to waive office objections and register the matter.
2. In view of the Judgment now rendered by the Hon'ble Supreme Court in Jagdeep Chowgule V/s Sheela Chowgule and ors, reported in 2026 SCC OnLine SC 124, the present application under Section 29A would not be maintainable before this Court. The appropriate Court, as held in the said Judgment, where an application under Section 29A of the Arbitration Act could have been filed, is before the District Court, North Goa.
3. At this stage, the learned Advocate appearing for the Applicant

submits that, considering the time period specified by Sub Section 29A 4 and 5 of the Act, the application under Section 29A had been otherwise filed within time, i.e. by 28.01.2026. On instructions, he seeks leave to withdraw this application, with leave to file the same before the District Court, North Goa.

4. Accordingly, the application shall stand dismissed as withdrawn with leave to the Applicant to file an application under Section 29A of the Act, for further extension to the mandate of the Arbitration before the District Court, North Goa, within one week.

5. Accordingly, the application for Appointment of Arbitrator No. 14/2023 stands dismissed as withdrawn with leave as prayed for.

VALMIKI MENEZES, J.