

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

22 N/373/2025
IN
EXA/834/2022
SHRIRAM TRANSPORT FINANCE
COMPANY LIMITED.
VS
ILIAS IDRIS QURESHI (BORROWER) AND ANR.

23 N/528/2025
IN
EXA/988/2022
SHRIRAM CITY UNION FINANCE LTD.
VS
SUDARSHAN SADASHIV BORADE SINGH & ANR

24 N/530/2025
IN
EXA/989/2022
SHRIRAM CITY UNION FINANCE LTD.
VS
SABHAJEET BEEPAT YADAV (BORROWER) & ANR

25 N/531/2025
IN
EXA/986/2022
SHRIRAM CITY UNION FINANCE LTD.
VS
SACHIN NAMDEV GAIKWAD (BORROWER) & ANR

26 N/532/2025
IN
EXA/985/2022
SHRIRAM CITY UNION FINANCE LTD.
VS
PARAMJEET MAKHAN SINGH & ANR

31 N/629/2025
IN

EXA/563/2022
SHRIRAM CITY UNION FINANCE LTD
VS
JAGADISH SHANKAR ADHAV

Mr. Vishal V. Narkar for the Applicant/Claimant.

CORAM : RAJESH S. PATIL, J.

DATE : 12th FEBRUARY, 2026

PC. :-

1) Learned counsel appearing for the claimant submits that the execution proceedings arise out of an Arbitral Awards, where the Arbitrators' appointment was unilateral. Hence, he on instructions of his client seeks leave to withdraw the present execution applications, with liberty to initiate fresh arbitration proceedings.

2) I have taken a view in the judgment of **L & T Finance Ltd. vs. Sangeeta Bhansali & Anr. in Commercial Execution Application (L) No. 5277 of 2022**, considering the latest judgment of the Supreme Court decided on 5 January, 2026, in the matter of ***Bhadra International (India) Pvt. Ltd. and others vs. Airport Authority of India***, Civil Appeal No. 37-38 of 2026, wherein it has been held that even at the stage of execution, an arbitral award can be set aside being *void-ab-initio* on the grounds that the appointment of the arbitrator was unilateral.

3) Leave and liberty as prayed for, is granted.

3.1) The Arbitral Awards which are subject matter of the present proceedings are hereby declared to be non-est in law, non-executable and *void-ab-initio*.

4) **Execution Applications** stand **disposed of** as withdrawn.

5) In sequel, **the Notices & Interim Applications**, if any, also stand **disposed of**.

6) It shall be open for the parties to initiate fresh arbitration proceedings in accordance with law.

7) As far as limitation is concerned, the period from the invocation of the arbitration till today shall stand excluded for the purpose of initiating fresh arbitration proceedings.

(RAJESH S. PATIL, J.)