IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SERIAL NOS. 902 TO 985, 987 TO 1117, 1120 TO 1121, 1124 TO 1134, 1138 TO 1151, 1154 TO 1169

Ms. Bijal Gogri i/b. OM Gujar Law Chambers for Applicant in Sr. Nos. 901, 902, 920, 921, 926, 977, 986, 991, 996, 997, 998, 1000, 1001, 1014, 1061 to 1064, 1118, 1119, 1122, 1123, 1134 to 1140, 1152, 1153.
Mr. Janmesh Vora i/b. Mehta & Padamsey for Respondent in Sr. No. 919.
Ms. Rahila Memon a/w. Ms. Reet Jain i/b. S.I. Joshi & Co. for Applicant in Sr Nos. 925 and 1128.
Ms. Bijal Gogri i/b. GNP Legal for Applicant in Sr. Nos. 972, 999, 1065, 1066.
Ms. Simran K. Raj i/b. Ms. Vedika Pedhambkar i/b. Ms. Tikshta Modi for the Applicant in Sr. Nos. 1125 to 1127, 1129, 1130 1132 & 1141.
Ms. Aditi Biswas i/b. Vidhi Partners for Applicant in Sr. No. 919.
Mr. Suraj Gupta i/b. SG Legal & Associates for Applicant (Claimant) in Sr. Nos. 906, 909, 974, 978, 982, 983, 1012, 1017, 1018, 1022 to 1033, 1042, 1044, 1046 to 1053, 1056 to 1060, 1068, 1072, 1075, 1076, 1078, 1079, 1133, 1154, 1155, 1156, 1157, 1158, 1167.

CORAM : ABHAY AHUJA, J.
DATE : 9th April 2026

PC:-

1. All these matters have been listed in view of the decision of the Hon'ble Supreme Court in the case of ***Bhadra International (India) Pvt. Ltd. and Others vs. Airports Authority of India***[1] where the Hon'ble

1 2026 SCC Online SC 7

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Supreme Court has observed that unilateral appointment of arbitrator is *void ab initio* and the ineligibility can be raised at any stage and even in execution.

2. Since in all these matters it has been found by the office of the Prothonotary & Senior Master of this Court that the appointment of the sole arbitrator has been unilateral, the said applications, in view of the above decision of the Hon'ble Supreme Court, stand dismissed. The respective arbitral awards stand set aside and the Commercial Execution Applications and the connected Interim Applications as well as the Chamber Summons, if any, stand accordingly dismissed / disposed.

3. It would be open to the parties to initiate fresh arbitration proceedings in accordance with law.

4. As far as limitation is concerned, the period from the invocation of the arbitration till today be excluded in initiating fresh arbitration proceedings.

5. Liberty to apply in the event there exists an express agreement in writing in terms of proviso to Section 12(5) of the Arbitration and Conciliation Act, 1996 (the "said Act") waiving the ineligibility of the sole arbitrator or the right to object under Section 12(5) of the said Act.

(ABHAY AHUJA, J.)