

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION NO. 333 OF 2024**

Aditya Birla Finance Limited

...Petitioner

Versus

Biswajit Mishra

...Respondent

Ms. Jenny Somaiya i/b Akhil Modi & Associates, for the Petitioner.

CORAM : ARIF S. DOCTOR, J.

DATE : 21st JANUARY, 2026

P.C.

1. Ms. Somaiya, learned counsel for the Petitioner has today brought to my attention that this Court had, by an order dated 9th October 2024 granted the Petitioner, ad-interim relief in terms of prayer clauses (a) and (b) of the captioned Commercial Arbitration Petition.

2. It is the grievance of learned counsel for the Petitioner that the Respondent has not yet complied with the said order. I then put to learned counsel as to whether the Petitioner has, in terms of Section 9(2) of the Arbitration and Conciliation Act, 1996 taken any steps to commence the arbitral proceedings within a period of 90 days from the day of Order, i.e. from 9th October 2024. I was informed that the Petitioner has not done so. Thus, in my opinion, there is no seriousness on the part of the Petitioner in submitting the disputes and differences qua arbitration.

3. Hence, in view of Section 9(2) of the Arbitration and Conciliation Act, 1996, the order dated 9th October 2024 would have to be vacated and is accordingly vacated.

4. Hence, the Petition under Section 9 is disposed of.

[ARIF S. DOCTOR, J.]