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

EXECUTION APPLICATION NO. 880 OF 2022

S. E. Investments Ltd. ..Applicant

Versus

Paramount Printpackaging Ltd. & ors. ..Respondents

WITH
N NO. 615 OF 2025
IN
EXA NO. 880 OF 2022

None present

CORAM : RAJESH S. PATIL, J.

DATE : 08.04.2026

P. C.

1) None appears for the applicant when the matter is called out.

2) From the proceedings, it can be gathered that the appointment of the sole arbitrator was unilateral.

3) 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.

4) In view of the aforesaid judgment, the arbitral award in the present proceeding passed by the sole arbitrator is hereby declared to be non-est in law, non-executable and *void-ab-initio*.

5) **Execution Application along Notice stand dismissed**.

6) In sequel, **the Interim Applications,** if any, also stand **disposed of.**

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

8) 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.)