

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

21 N/372/2025
 IN
 EXA/833/2022
SHRIRAM TRANSPORT FINANCE
COMPANY LIMITED.
 VS
HAKIMALI WAHIDALI SHAH (BORROWER) & ANR.

27 N/542/2025
 IN
 EXA/822/2022
SBI CARDS AND PAYMENTS
SERVICES PVT. LTD
 VS
 H SAWGHNEY

28 N/543/2025
 IN
 EXA/829/2022
SBI CARDS AND PAYMENTS
SERVICES PVT LTD
 VS
 M H HINGORA

32 N/658/2025
 IN
 EXA/676/2022
INDIA INFOLINE FINANCE LIMITED
 VS
RAJESH BALCHANDRA KOLI (BORROWER) & 2 ORS.

33 N/659/2025
 IN
 EXA/738/2022
INDIA INFOLINE FINANCE LIMITED
 VS
AFTAB ALAM MOHAMMAD YUNUS & ANR

34 N/689/2025
IN
EXA/983/2022
SBI CARDS AND PAYMENT SERVICES LTD.
VS
NITIN R. PAWAR

None for the Applicants.

None for the Respondents.

CORAM : RAJESH S. PATIL, J.

DATE : 12th FEBRUARY, 2026

PC. :-

- 1) None appears for the applicants when the matters are called out.
- 2) From the proceedings, it can be gathered that the appointment of the sole arbitrators 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 awards in the present proceedings passed by the sole arbitrators are hereby declared to be non-est in law, non-executable and *void-ab-initio*.

5) **Execution Applications** stand **dismissed**.

6) In sequel, **the Notices & 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.)