



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

97 N/946/2025

In

EXA/418/2021

INDUSIND BANK LTD.

VS

INAM MOHAMMED PATEL AND ANR.

WITH

98 N/947/2025

In

EXA/417/2021

INDUSIND BANK LIMITED

VS

ANSARI MOHD ASHRAF MOHD UMAR AND ANR

WITH

99 N/948/2025

In

EXA/408/2021

INDUSLAND BANK LIMITED

VS

RAMPADARAS YADAV AND ANR.

WITH

100 N/949/2025

In

EXA/425/2021

INDUSIND BANK LIMITED

VS

NIZAM AHMED CHAUDHARI AND ANR

WITH

101 N/950/2025

In

EXA/400/2021

INDUSIND BANK LIMITED
VS
KALU KHALIL KHAN AND ANR

WITH
102 N/969/2025
In
EXA/424/2021

INDUSIND BANK LIMITED
VS
KUNDAN PRABHAKAR BHANDARE AND ANR

None present.

CORAM : RAJESH S. PATIL, J.

DATE : 2 FEBRUARY 2026.

PC. :

- 1) These Notices are filed under the provisions of Order XXI, Rule 22 of the Code of Civil Procedure, in the year 2025.
- 2) None appears for the Applicant when the matter is called out.
- 3) From the proceedings, it can be gathered that the appointment of the sole arbitrator was unilateral.
- 4) 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.

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

6) **Execution Applications** stand **dismissed**.

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

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

9) 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.)