

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

INTERIM APPLICATION NO. 247 OF 2025

IN

COMMERCIAL ARBITRATION APPLICATION NO. 528 OF 2019

GVPR Engineers Limited

...Applicant

Versus

The Maharashtra State Electricity Distribution Co Ltd. & Anr.

...Respondents

Mr. Rajni Divkar a/w Mr. Pratik Divkar, for the Applicant.

Mr. Anuj Jaiswal i/b Little & Co., for the Respondents.

CORAM : ARIF S. DOCTOR, J.

DATE : 30th MARCH, 2026

P.C.

1. The Interim Application seeks the following reliefs.

"(a) This Hon'ble Court may be pleased to set aside the rejection order dated 20/02/2020 and restore the Commercial Arbitration Application (L) no.528 of 2019, to the file of this Hon'ble Court.

(b) That this Hon'ble Court be pleased to condone delay of 1678 days in filing the present application."

2. Learned counsel for the Applicant has taken me through the Interim Application and explained the circumstances in which it was filed and the delay arose. Primarily, it is contended that the Applicant was never informed that the Commercial Arbitration Application was dismissed for want of removal of office objections. She also points out that though such dismissal was on 7th October 2021, the matter was subsequently relocated to Pune, thus occasioning this delay.

3. Learned counsel for the Respondents does not wish to file a reply affidavit. He, however, submits that the delay has not been sufficiently explained.
4. On a perusal of the Interim Application, I am unable to accept his contention. Furthermore, given that the Commercial Arbitration Application is under Section 11 and was dismissed solely for want of non-removal of office objections, in my view, the substantive interest of justice would require that the same be allowed and the Application be heard on merits.
5. Hence, for the aforesaid reasons, the Interim Application is accordingly allowed and disposed of in terms of prayer clauses (a) and (b).
6. The Commercial Arbitration Application is restored to the file of this Court.

[ARIF S. DOCTOR, J.]