



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

ARBITRATION PETITION NO. 110 OF 2025
WITH
INTERIM APPLICATION NO. 1185 OF 2025
IN
ARBITRATION PETITION NO. 110 OF 2025

Relcon Infraprojects Ltd

... Petitioner.

Versus

Bhagwandas Gupta

... Respondent.

Mr Aseem Naphade with Aneesa Cheema and Akanksha A. Mishra for the Petitioner.

Mr Udayan Jain a/w. Creesh Jain and Anay Jain for Respondent Nos.1 and 2.

Mr Amogh Singh a/w Deepanjali Mishra i/by Rahul Tiwari for Respondent No.3.

Coram : Sharmila U. Deshmukh, J.

Date : March 07, 2026

P.C. :

1. The Arbitration Petition was filed challenging the impugned Award dated 24th September, 2024 to the extent of caveat recorded in paragraph Nos.116 to 119 and 125 of the impugned Award which issues certain directions in event, the Respondents who were the Claimants therein, succeed in their challenge to the resolution passed by the Society dated 31st October, 2021.

2. After hearing learned counsel for the parties for sometime, as the anxiety of the Respondents-Claimants was that by virtue of the challenge by the Petitioners to the impugned Award, the proceedings

before the cooperative court are sought to be obstructed or prejudicially affected. Mr. Naphade, learned counsel for the Petitioner would submit that there is no question of obstructing or interfering with the proceedings before the cooperative court which challenges the resolution passed by the Society and the Developer is only concerned with the consequence which has been provided in the impugned award as recorded in the paragraph Nos. 116 to 119 and 125.

3. Upon query by this Court Mr. Jain, learned counsel appearing for the Respondents submits that the Award can be modified to delete paragraph Nos.116 to 119 and 125 subject to a clarification that the proceedings in the cooperative court will continue in accordance with law and the decision of the cooperative court will not be affected by the fact that the findings in paragraph nos.116 to 119 and 125 stand deleted.

4. In light of the consensus which has been arrived at between the parties and considering that the only objection to the award was to the caveat recorded in paragraph Nos.116 to 119 and 125, with consent the findings in paragraph Nos.116 to 119 and 125 of the impugned award are set aside with the clarification that the proceedings before the cooperative court will proceed in accordance with law and on its own merits and the decision of the cooperative

court will be uninfluenced by the fact that the findings in paragraph Nos.116 to 119 and 125 are deleted with consent of the parties.

5. Insofar as the observations in paragraph No.126 of the impugned Award is concerned, in view of the clarification given in the present order, the qualification while dismissing the claim and counter claim do not survive.

6. With these clarifications, the Arbitration Petition stands disposed of. Interim Application does not survive for consideration and same stands disposed of.

[Sharmila U. Deshmukh, J.]