

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

INTERIM APPLICATION NO. 2296 OF 2025
IN
COMMERCIAL ARBITRATION PETITION NO. 1307 OF 2019

Kishor N. Shah & Ors.

...Applicants

V/s.

Urban Infrastructure Real Estate Fund & Anr.

...Respondents

WITH
COMMERCIAL EXECUTION APPLICATION NO. 139 OF 2020
WITH
INTERIM APPLICATION NO. 910 OF 2022
WITH
INTERIM APPLICATION NO. 3950 OF 2023
WITH
INTERIM APPLICATION NO. 1642 OF 2024
IN
COMMERCIAL EXECUTION APPLICATION NO. 139 OF 2020
WITH
COMMERCIAL EXECUTION APPLICATION NO. 195 OF 2020
WITH
INTERIM APPLICATION NO. 3949 OF 2023
IN
COMMERCIAL EXECUTION APPLICATION NO. 195 OF 2020
WITH
INTERIM APPLICATION NO. 1522 OF 2022
IN
COMMERCIAL EXECUTION APPLICATION NO. 195 OF 2020
WITH
INTERIM APPLICATION NO. 3920 OF 2025
IN
COMMERCIAL EXECUTION APPLICATION NO. 195 OF 2020
WITH
INTERIM APPLICATION NO. 1642 OF 2024
IN
COMMERCIAL EXECUTION APPLICATION NO. 139 OF 2020
WITH
COMMERCIAL ARBITRATION PETITION NO. 1238 OF 2019
WITH

**INTERIM APPLICATION NO. 2297 OF 2025
IN
COMMERCIAL ARBITRATION PETITION NO. 1238 OF 2019
WITH
COMMERCIAL ARBITRATION PETITION NO. 1307 OF 2019**

Mr. Sharad Bansal with Mr. Aman Sadiwala, Ms. Etika Srivastava and Ms. Nishi Doshi, Mr. Abhyarathna Singh and Ms. Aanchal Maheshwari i/b Rashmikant and Partners for the Applicant in IA-2296-2025 and IA-2297-2025.

Mr. Sharan Jagtiani, Senior Advocate alongwith Mr. Aditya Mehta, Mr. Siddharth Joshi instructed by Dastur Kalambi and Associates for the Respondents No.1 and 2 in IA-2297-2025.

Ms. Pooja Rathod instructed by Vashi and Vashi, Advocate for the Respondent No.7 in IA-3949-2023, IA-3950-2023, IA-1522-2022 & IA-910-2022.

Mr. Zal Andhyarujina, Senior Advocate alongwith Mr. Aditya Mehta, Mr. Jahaan Dastur instructed by Dastur Kalambi and Associates for the Respondent No.1 in IA-2296-2025.

**CORAM : ABHAY AHUJA, J.
DATE : 16th JANUARY, 2026**

PC. :

Interim Application No.2296 of 2025 in Commercial Arbitration Petition No.1307 of 2019 & Interim Application No.2297 of 2025 in Commercial Arbitration Petition No.1238 of 2019

1. Pursuant to the order dated 14th January, 2025, today when the matter is called out, Mr. Andhyarujina, learned Senior Counsel appearing for the Respondent in the Interim Application No. 2296 of 2025 and Mr. Jagtiani, learned Senior Counsel appearing for the Respondents in the Interim Application No. 2297 and Mr. Bansal, learned Counsel appearing for the Applicants in the Interim Applications No. 2296 and 2297 of 2025 submit that in terms of the

proposal submitted by the Respondents, the parties have agreed that the Interim Applications seeking amendments of the respective Petitions filed under Section 34 of the Arbitration and Conciliation Act, 1996 be allowed, subject to the rights, contentions and objections of the Respondents being kept open *inter-alia* as set out in the Respondent's affidavits dated 3rd December, 2024 and 15th April, 2025 as well as with respect to the contentions that the said amendments are barred by limitation and also that the Respondent's have right to lead oral evidence in support of their response, although denied by the Applicants.

2. The Interim Applications accordingly stand allowed as above.
3. Let the amendments be carried out within a period of one week and a copy of the amended Petitions be served on the others in a week thereafter.
4. Let reply(ies) to the amended Petitions be filed within a period of three weeks upon receipt of the amended Petitions with copy to the others. Rejoinder(s), if any, by the next date.
5. List the Petitions for hearing on **23rd February, 2026**.

Digitally
signed by
NIKITA
YOGESH
GADGIL
Date:
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+0530

Nikita Gadgil

(ABHAY AHUJA, J.)