



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION APPLICATION NO.459 OF 2025

Shri Balaji Infra Developers Private
Limited

...Applicants

V/s.

Tata Projects Limited

...Respondent

Mr. Bhavesh Joshi with *Mr. Sachin Sharma & Mr. Prasad Apte i/b. Mr. Parth Kirti Mehta for the Applicants.*

Ms. Vibhuti Keny with *Mr. Abhinav Palishikar i/b. Ms. Sushma Nagaraj for the Respondent.*

CORAM: SANDEEP V. MARNE, J.

DATED: 20 JANUARY 2026.

P.C.:

1) This is an Application filed under Section 11 of the Arbitration and Conciliation Act, 1996 for constitution of Arbitral Tribunal. Clause 41 of the General Conditions of the Contract for Services (GCC) provides for conduct of arbitral proceedings either at Hyderabad or at any other place at the discretion of the Respondent. Clause 45 of the GCC provides that in respect of any litigation, jurisdiction shall be that of courts at Hyderabad, India.

2) The learned counsel appearing for the Applicant submits that jurisdiction of Courts at Hyderabad was agreed essentially on

account of the fact that the Respondent had its registered office in the State of Telangana. He invites my attention to Special Notice to Creditors dated 26 April 2024 indicating that the registered office of the Respondent has now been shifted to State of Maharashtra. He further submits that notice invoking arbitration was also served at corporate office of the Respondent at Mumbai and that the said notice is replied by the Respondent on 19 February 2025 indicating its office at Mumbai.

3) In the light of the above position, this Court has raised a query with the learned counsel for the Respondent as to whether the Respondent would still insist on contractors moving the High Court of Telangana for appointment of Arbitrator when Respondent's registered office is now shifted to State of Maharashtra. This Court has come across multiple cases in which objection of territorial jurisdiction is raised in ignorance of the position that the Respondent itself has shifted its registered office in the State of Maharashtra.

4) Ms. Keny, the learned counsel appearing for the Respondent seeks time to take instructions in this regard.

5) List the Application for further consideration on 6 February 2026.

[SANDEEP V. MARNE, J.]