

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

INTERIM APPLICATION NO. 2325 OF 2025
IN
EXECUTION APPLICATION NO. 2386 OF 2025

Aditya Birla Finance Limited

... Applicant

Versus

Babu G

... Respondents

AND

INTERIM APPLICATION NO. 2327 OF 2025
IN
EXECUTION APPLICATION NO. 2389 OF 2025

AND

INTERIM APPLICATION NO. 2328 OF 2025
IN
EXECUTION APPLICATION NO. 2263 OF 2025

AND

INTERIM APPLICATION NO. 2330 OF 2025
IN
EXECUTION APPLICATION NO. 2272 OF 2025

AND

INTERIM APPLICATION NO. 2332 OF 2025
IN
EXECUTION APPLICATION NO. 2400 OF 2025

AND

INTERIM APPLICATION NO. 2333 OF 2025
IN
EXECUTION APPLICATION NO. 2399 OF 2025

AND

INTERIM APPLICATION NO. 2344 OF 2025
IN
EXECUTION APPLICATION NO. 2171 OF 2025

AND

INTERIM APPLICATION NO. 2345 OF 2025
IN
EXECUTION APPLICATION NO. 2422 OF 2025

AND

INTERIM APPLICATION NO. 2346 OF 2025
IN

EXECUTION APPLICATION NO. 2280 OF 2025
AND
INTERIM APPLICATION NO. 2347 OF 2025
IN
EXECUTION APPLICATION NO. 2420 OF 2025
AND
INTERIM APPLICATION NO. 2348 OF 2025
IN
EXECUTION APPLICATION NO. 2267 OF 2025
AND
INTERIM APPLICATION NO. 2349 OF 2025
IN
EXECUTION APPLICATION NO. 2349 OF 2025

Ms. Vedika Pedhambkar i/b. Akhil Modi and Associates, Advocate for Applicant.

CORAM : ABHAY AHUJA, J.
DATE : 20th April 2026

PC:-

1. Ms. Pedhambkar, learned Counsel appears for the Applicant in these matters and submits that in these matters there has been a unilateral appointment of Arbitrator and this Court may pass appropriate orders in view of the decision in the case of *Bhadra International (India) Pvt. Ltd. and others vs. Airports Authority of India*¹, where the Hon'ble Supreme Court has clearly observed that unilateral appointment of arbitrator is *void ab initio* and the ineligibility can be raised at any stage and even in execution.

¹ 2026 SCC OnLine SC 7.

2. In view of the aforesaid, the arbitral awards are set aside and the Execution Applications as well as the connected Interim Applications stand dismissed/disposed.
3. It would be open to the parties to initiate fresh arbitration proceedings in accordance with law.
4. As far as limitation is concerned, the period from the invocation of the arbitration till today be excluded in initiating fresh arbitration proceedings.
5. Liberty to apply in the event there exists an express agreement in writing in terms of proviso to Section 12(5) of the Arbitration and Conciliation Act, 1996 (the “said Act”) waiving the ineligibility of the sole arbitrator or the right to object under Section 12(5) of the said Act.

(ABHAY AHUJA, J.)