

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION NO. 5394 OF 2025

IN

EXECUTION APPLICATION NO. 263 OF 2026

Axis Bank (Formerly Known
as UTI Bank Ltd.

... Applicant

V/s.

Yadav Ajay Kumar And Anr.

(Judgment Debtor/Respondent No.1)

... Respondent

AND

INTERIM APPLICATION NO. 5522 OF 2025

IN

EXECUTION APPLICATION NO. 261 OF 2026

Axis Bank (Formerly Known
as UTI Bank Ltd.

... Applicant

V/s.

Anurag S Raghatate

... Respondent

WITH

GARNISHEE NOTICE NO. 6 OF 2026

IN

INTERIM APPLICATION NO. 5522 OF 2025

AND

INTERIM APPLICATION NO. 5984 OF 2025

IN

EXECUTION APPLICATION NO. 262 OF 2026

Axis Bank (Formerly Known
as UTI Bank Ltd.

... Applicant

V/s.

Pranay Solanki

... Respondent

WITH

GARNISHEE NOTICE NO. 5 OF 2026

IN

INTERIM APPLICATION NO. 5984 OF 2025

AND

INTERIM APPLICATION NO. 5985 OF 2025

IN

EXECUTION APPLICATION NO. 264 OF 2026

Axis Bank (Formerly Known
as UTI Bank Ltd.

... Applicant

V/s.

Jintendra Pitambar Sonawane

... Respondent

WITH

GARNISHEE NOTICE NO. 4 OF 2026

IN

INTERIM APPLICATION NO. 5985 OF 2025

AND

INTERIM APPLICATION NO. 5988 OF 2025

IN

EXECUTION APPLICATION NO. 64 OF 2026

Axis Bank (Formerly Known
as UTI Bank Ltd.

... Applicant

V/s.

Pravin Mukunda Baviskar

... Respondent

AND

INTERIM APPLICATION NO. 6003 OF 2025

IN

EXECUTION APPLICATION NO. 247 OF 2026

Axis Bank (Formerly Known
as UTI Bank Ltd.

... Applicant

V/s.

Kishan Kumar Dahiya

... Respondent

AND

INTERIM APPLICATION NO. 6007 OF 2025

IN

EXECUTION APPLICATION NO. 213 OF 2026

Axis Bank (Formerly Known
as UTI Bank Ltd.

... Applicant

V/s.

Tasalim Saroddin Khatib

... Respondent

AND
INTERIM APPLICATION NO. 6051 OF 2025
IN
EXECUTION APPLICATION NO. 2575 OF 2025

Axis Bank (Formerly Known
as UTI Bank Ltd. ... Applicant
V/s.
Yagyapal Rathore ... Respondent

WITH
GARNISHEE NOTICE NO. 3 OF 2026
IN
INTERIM APPLICATION NO. 6051 OF 2025
AND
INTERIM APPLICATION NO. 6349 OF 2025
IN
EXECUTION APPLICATION NO. 216 OF 2026

Axis Bank (Formerly Known
as UTI Bank Ltd. ... Applicant
V/s.
Mintu Kumar Tiwari ... Respondent

AND
INTERIM APPLICATION NO. 6351 OF 2025
IN
EXECUTION APPLICATION NO. 88 OF 2026

Axis Bank (Formerly Known
as UTI Bank Ltd. ... Applicant
V/s.
Pandya Nita Mayurkumar ... Respondent

AND
INTERIM APPLICATION NO. 6356 OF 2025
IN
EXECUTION APPLICATION NO. 217 OF 2026

Axis Bank (Formerly Known
as UTI Bank Ltd. ... Applicant
V/s.
Vaibhav Thore ... Respondent

AND
INTERIM APPLICATION NO. 6433 OF 2025
IN
EXECUTION APPLICATION NO. 2578 OF 2025

Axis Bank (Formerly Known
as UTI Bank Ltd. ... Applicant
V/s.
Ashvinkumar Dhulabhai Pagi ... Respondent

AND
INTERIM APPLICATION NO. 6437 OF 2025
IN
EXECUTION APPLICATION NO. 63 OF 2026

Axis Bank (Formerly Known
as UTI Bank Ltd. ... Applicant
V/s.
Vasava Jayanthbhai Ramsing ... Respondent

AND
INTERIM APPLICATION NO. 6440 OF 2025
IN
EXECUTION APPLICATION NO. 62 OF 2026

Axis Bank (Formerly Known
as UTI Bank Ltd. ... Applicant
V/s.
Sohan Sisodiya & Anr. ... Respondents

AND
INTERIM APPLICATION NO. 6959 OF 2025
IN
EXECUTION APPLICATION NO. 249 OF 2026

Axis Bank (Formerly Known
as UTI Bank Ltd. ... Applicant
V/s.
Ritesh Yashwant Sawale ... Respondent

AND

INTERIM APPLICATION NO. 6973 OF 2025

IN

EXECUTION APPLICATION NO. 219 OF 2026

Axis Bank (Formerly Known
as UTI Bank Ltd.

... Applicant

V/s.

Amresh Kumar

... Respondent

AND

INTERIM APPLICATION NO. 6980 OF 2025

IN

EXECUTION APPLICATION NO. 212 OF 2026

Axis Bank (Formerly Known
as UTI Bank Ltd.

... Applicant

V/s.

Vinodkumar Virabhai Rathod

... Respondent

AND

INTERIM APPLICATION NO. 7547 OF 2025

IN

EXECUTION APPLICATION NO. 258 OF 2026

Axis Bank (Formerly Known
as UTI Bank Ltd.

... Applicant

V/s.

Pravin Mukunda Baviskar

... Respondent

AND

INTERIM APPLICATION NO. 7554 OF 2025

IN

EXECUTION APPLICATION NO. 253 OF 2026

Axis Bank (Formerly Known
as UTI Bank Ltd.

... Applicant

V/s.

Saiyad Sakil V

... Respondent

.....

Ms. Bijal Gogri instructed by OM Gujar Law Chambers, Advocate for
the Applicant.

None for the Respondents.

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CORAM : ABHAY AHUJA, J.
DATE : 2 APRIL 2026

PC. :

1. Since in all these matters it has been found by the Associate of this Court and also confirmed by the learned Counsel appearing for the Applicant that the appointment of the sole arbitrator has been unilateral, the said applications in view of the decision of the Hon'ble Supreme Court in the case of *Bhadra International (India) Pvt. Ltd. and others vs. Airports Authority of India*¹, would have to be dismissed as in the said decision the Hon'ble Supreme Court has observed that unilateral appointment of arbitrator is void ab initio and the ineligibility can be raised at any stage and even in execution. The respective arbitral awards are therefore set aside and the Execution Applications and the connected Interim Applications as well as the Chamber Summons and the Garnishee Notices/proceedings accordingly stand disposed after taking the same on board if not already on board.
2. It would be open to the parties to initiate fresh arbitration proceedings in accordance with law.

¹ 2026 SCC Online SC 7

3. As far as limitation is concerned, the period from the invocation of the arbitration till today be excluded in initiating fresh arbitration proceedings.

4. 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.)