

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

INTERIM APPLICATION NO. 1612 OF 2026
IN
EXECUTION APPLICATION (L) NO. 4013 OF 2026

Auxilo Finserve Pvt Ltd.

... Applicant

V/s.

Venkata Sai Krishna Reddy Jonnala & Ors.

... Respondents

Ms. Simran K. Raj with Ms. Vedika Pedhambkar i/b Ms. Tikshta Modi
for the Applicant.

Ms. Kashmira Khedekar i/b P. G. Sabnis for the Respondents.

CORAM : ABHAY AHUJA, J.
DATE : 25th MARCH, 2026

PC. :

1. When the matter is called out, Ms. Khedekar, learned Counsel appears for the Respondents and submits that the appointment of the Arbitrator by the Applicant had been unilateral and in view of the decision of the Hon'ble Supreme Court in the case of *Bhadra International (India) Pvt. Ltd and Ors. Vs. Airports Authority of India*¹ that such proceedings and the awards are void *ab initio*, this Court may dismiss the arbitration proceedings.

2. Upon a query from the Court to the learned Counsel appearing for the Respondents as to whether any waiver in terms of Section 12(5) of the Arbitration and Conciliation Act, 1996 was given at the time of

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making the loan application or otherwise, Ms. Khedekar seeks some time in the matter to take instructions and to file a additional reply in the matter.

3. Let the present reply be filed in the Registry.
4. List on **6th May, 2026**.

(ABHAY AHUJA, J.)