

In The Commercial Court (District Judge Level) ,
Bhopal (M.P.)

(Presiding Officer :- Ajay Pendam)

Registration No.-	MJC AV 17/2026
Filing No.-	MJC AV 1848/2026
CNR No.-	MP0401-009803-2026
Filing Date-	05.03.2026

1. M/S Murliwala Agrotech Pvt. Ltd.
Through its Authorised representative
Shri Subhash Kumar Verma
S/o Shri G.R. Verma
Age Adult
Having Registered Office at AB 16,
Community Centre, Safdarjung Enclave,
New Delhi (M.P)
2. MP Agro Foods Industries Ltd.
Through its Authorised representative
Shri Subhas Kumar Verma
S/o. Shri G.R. Verma
Age Adult
R/o. 72-73, New Industrial Area-II,
Mandideep, District Raisen (M.P.)

----- APPLICANTS

VERSUS

Madhya Pradesh State Agro Industries
Development Corporation Ltd.
Through Its Authorised Representative
Third Floor, Panchanan, Malviya Nagar,
Bhopal (M.P)

----- NON-APPLICANT

: PRESENT :

APPLICANTS ADVOCATE : SHRI RAVIKANT PATIDAR

NON-APPLICANT ADVOCATE : SHRI ABHIJEET AWASTHI

ORDER

(Passed on 11 July 2026)

1. This order shall govern the disposal of an application preferred by the Claimants/Applicants under Sections 29A(4) and 29A(5) of the Arbitration and Conciliation Act, 1996, seeking extension of the mandate of the learned Sole Arbitrator, Hon'ble Shri Justice Alok Verma (Retired Judge, High Court of Madhya Pradesh), for a further period of twelve months to enable him to conclude the arbitral proceedings and pronounce the Award in Arbitration Case No. AC-98/2021.

2. The facts, as projected by the applicants, are that Claimant No. 1 is a company engaged in the business of manufacturing and distributing nutritious food. Claimant No. 2 is a company incorporated pursuant to a Memorandum of Understanding dated 15.04.2004 executed between Claimant No. 1 and the respondent. The respondent is a State agency engaged in the development of agriculture and the distribution of "Ready-to-Eat Meal Nutrition Food." It is further submitted that arbitral proceedings are presently pending as Arbitration Case No. 98/2021 before the learned Sole Arbitrator, Hon'ble Justice Shri Alok Verma (Retired Judge, High Court of Madhya Pradesh). The pleadings in the arbitral proceedings were initially completed on 20.12.2022. However, subsequent interlocutory proceedings, followed by a challenge before the Hon'ble High Court of Madhya Pradesh in Writ Petition No. 9629/2023, resulted in an order of stay, owing to which the arbitral proceedings remained stayed for nearly two years.

After the writ petition was disposed of on 17.03.2025, the arbitral proceedings resumed. Thereafter, successive procedural stages, including the filing of amended pleadings, fresh affidavits of evidence, and substitution of witnesses, consumed additional time. On 28.02.2026, the learned Sole Arbitrator informed the parties that his mandate was due to expire on 07.03.2026 and directed them to obtain an extension of the mandate from the competent Court. Consequently, the present application has been filed seeking extension of the mandate of the learned Arbitrator.

3. The Respondent, through its formal reply, has explicitly stated that it has no objection to the extension of the mandate of the learned Sole Arbitrator, noting that an extension is necessary to enable early adjudication and a logical conclusion to the long-standing dispute. However, the Respondent has vehemently denied that the delay is solely attributable to them, asserting that the time taken was due to mutual procedural developments, and that their recourse to the Hon'ble High Court was a bona fide exercise of legal remedies which ultimately concluded in their favor.

4. Heard learned counsel for both parties and perused the record.

5. It is evident from the record and the concurrent submissions of both sides that the statutory mandate of the Arbitral Tribunal expired on 07.03.2026. It is also clear that the arbitration proceedings are at an advanced stage, with additional issues framed and evidentiary affidavits being processed. Without delving into a meticulous apportionment of blame for the delay, this Court notes that the continuous stream of interlocutory adjustments and the prolonged judicial stay before the Hon'ble High Court constitute "sufficient cause" within the meaning of Section 29A(4) of the Act. Since both parties are

ad-idem regarding the necessity of extending the mandate so that a final award can be lawfully passed, it would be in the interest of justice to allow the application. It is, however, clarified that the grant of this extension does not equate to a judicial finding or acceptance of any allegations of deliberate delay levied by the Applicants against the Respondent.

6. Accordingly, the application is allowed. Notwithstanding the expiry of the earlier mandate, the mandate of the learned Sole Arbitrator, Hon'ble Shri Justice Alok Verma (Retired Judge, High Court of Madhya Pradesh), is hereby extended for a further period of one year from the date of this order.

7. A copy of this order be forwarded immediately to the learned Sole Arbitrator for information and compliance.

8. File be consigned to the record room after due compliance.

Dated 11-07-2026

Bhopal M.P

Ajay Pendam
Judge, Commercial Court,
District Judge level
BHOPAL