



Civil Misc. Application No.373/2026

CNR No.MHPU01-004410-2026

Sunil Champalal Somani & Ors.

Vs.

Nanded City Development and
Construction Company Limited

ORDER BELOW EXH.1

This is an application under Section 29-A of the Arbitration and Conciliation Act, 1996 (for short the Act) for extension of time and substitution of the Arbitrator.

2. I have heard Ld. Advocates for both the parties.

3. Undisputed facts are that the Arbitral Tribunal presided over by the Sole Arbitrator has commenced proceedings in five connected references and it appears that the proceeding is in progress since February 2021. The period for completion of arbitral proceeding was till 28/02/2023 after the pleadings were completed. Then by consent the period was extended for six months by the parties which was expired on 21/08/2023. Because of certain developments still the proceeding could not be completed and then another application was filed for extension of mandate which was decided as per order dated 07/12/2023. Then the Hon'ble High Court has extended period up to 14/02/2025 as per the orders in five writ petitions filed in the five references.

4. In the meantime, the Arbitral Tribunal has framed the issues and there was certain progress in the proceeding. But

again the extended period was expired on 14/02/2025 which was further extended by the Hon'ble High Court up to 14/04/2026.

5. Since that period was also expiring on 14/04/2026, the application was filed for extension of the mandate by twelve months. In the same application, prayer for substitution of the Arbitrator has been made, however, as per praecipe Exh.30, the applicants have not pressed the application for substitution of the Arbitrator and restricted the application for extension of the time.

6. The respondents have opposed the application for substitution of the Arbitrator. The respondents have not objected the application for extension of period of mandate by twelve months.

7. From the submissions of both the parties and also chronology of events mentioned in the application, it appears that the Arbitral Tribunal could not complete the proceeding by 14/04/2026 and for that it appears that various developments were taken place before the Arbitral Tribunal and there was no fault on the part of the Sole Arbitrator. It also appears from the arguments of Ld. Advocates for both the parties that in the meantime there has been progress in the arbitral proceeding and the same Arbitrator be continued for further period of twelve months. Considering the fact that the time lapse was not deliberate, the application deserve favourable consideration and hence, I pass following order :

ORDER

1. The application for extension of the period of twelve months with effect from 14/04/2026 till 13/04/2027 is allowed for completion of arbitral proceeding.
2. The application stand disposed of.

(Dictated and pronounced in Open Court).

Pune.
Date : 28/07/2026

(P. Y. Ladekar)
District Judge – 2 and
Commercial Court, Pune.

CERTIFICATE

I affirms that the contents of this PD.F. file Order are same word for word as per original Order.

Court Name	:	P. Y. Ladekar, District Judge – 2 and Commercial Court, Pune.
Name of Steno	:	Abhishek Arun Gite (Stenographer Grade - I)
Date of Order	:	28/07/2026
Order signed by Presiding Officer on	:	28/07/2026
Order PDF and Uploaded on	:	28/07/2026