

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. Tikshita Modi  
for the Applicant.

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

CORAM : ABHAY AHUJA, J.  
DATE : 25<sup>th</sup> 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*<sup>1</sup> 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 **6<sup>th</sup> May, 2026.**

**(ABHAY AHUJA, J.)**