

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION NO.1346 OF 2015**

Magma Fincorp Limited through
G. E. Money Financial Services ...Petitioner
V/s.
Surinder Singh Coudhary & Anr. ...Respondents.

Ms. Sonali S. Ghanekar i/b. Om Gujar Law Chambers for the
petitioner.
Mr. Ashok Mishra a/w Mr. Pradeep Dube for the Respondents.

**CORAM : R.D. DHANUKA, J.
DATED : 24th AUGUST, 2015.**

PC.:

1. Learned Counsel appearing for the respondents states that the Arbitration Petition filed by the petitioner is at advanced stage. Learned counsel for the petitioner does not dispute the same.

2. This petition was filed on 17/4/2015. The petitioner did not apply for ad-interim reliefs till date. Since the matter is at advanced stage, the petition can be converted into an application u/s.17 of the Arbitration and Conciliation Act, 1996 (hereinafter the said Act) and is accordingly converted. The petitioner is directed to pursue the present proceeding before the learned Arbitrator.

3. Learned Counsel appearing for the respondents states that the present proceeding was served upon the respondent only on 22/8/2015.

The respondents are directed to file affidavit in reply within one week from today before the learned Arbitrator and serve a

copy thereof on the petitioner.

4. Learned counsel appearing for respondent on instructions states that until the application of the petitioner is heard by the learned Arbitrator u/s.17 of the said Act, the respondent has no objection if ad-interim relief in terms of prayer clause (c) is granted. Statement is accepted. It is ordered accordingly.

The petitioner would be at liberty to seek other ad-interim measures before the learned Arbitrator which can be considered on its own merits.

5. Arbitration Petition is disposed of in aforesaid terms.

(R. D. DHANUKA, J.)