

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION NO. 1001 OF 2012

JSW Ispat Steel Ltd.

..... Petitioners
(Org.Respondents)

VERSUS

Thoresen Shipping Singapore Pte Ltd.

..... Respondents
(Org.Claimants)

Ms.Manorama Mohanty, a/w. Ms.Ambika Singh, i/b. S.K.Srivastav & Co. for the Petitioners.

None for the Respondents.

CORAM : R.D. DHANUKA, J.

DATED : 13th MARCH, 2015

P.C.

By this petition filed under section 34 of the Arbitration and Conciliation Act, 1996 petitioner seeks to challenge impugned award dated 13th March, 2012.

2. The respondent company is incorporated under the Laws of Singapore. A perusal of the record indicates that the parties were governed by the laws of Singapore. The learned arbitrator has conducted the arbitration proceedings at Singapore. In my view Part I of the Arbitration and Conciliation Act 1996 is thus not applicable.

3. Division Bench of this court in judgment dated 20th January, 2015 in case of ***Harkirat Singh vs. Rabobank International Holding B.V. Co-operative Centrale Raiffeisen*** in Appeal No.171 of 2007 has considered similar facts and has held that

Part I of the Arbitration and Conciliation Act, 1996 would not be applicable if the jurisdictional seat of the arbitration was outside India. I am respectfully bound by the judgment of Division Bench which squarely applies to the facts of this case.

4. Petition is thus dismissed as not maintainable. No order as to costs.

[R.D. DHANUKA, J.]