

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION APPLICATION NO. 289 OF 2014

Topworth Pipes and Tubes Private Limited Applicant

VERSUS

ITL Industries Limited Respondent

Ms.Sapna Rachure, i/b. T.N.Tripathi & CO. for the Applicant.

Mr.Anil D'souza for the Respondent.

CORAM : R.D. DHANUKA, J.

DATED : 22nd JULY, 2015

P.C.

Learned counsel appearing for the respondent raises preliminary objection about maintainability of this application on the ground that the learned arbitrator has already rendered an award which is subject matter of a writ petition filed by the applicant. Learned counsel appearing for the applicant does not dispute that the learned arbitrator has already rendered an award which is already challenged in the writ petition. This application for appointment of arbitrator is not maintainable and is accordingly dismissed. No order as to costs.

[R.D. DHANUKA, J.]