

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION NO. 385 OF 2015

Bhaskar M.Pandya

..... Petitioner

VERSUS

M/s.Karvi Stock Broking Ltd.

..... Respondent

Mr.Samir Vaidya for the Petitioner.

None for the Respondent.

CORAM : R.D. DHANUKA, J.

DATED : 23rd JUNE, 2015

P.C.

By this petition filed under section 34 of the Arbitration and Conciliation Act, 1996, the petitioner has impugned the arbitral award rendered by the lower arbitral tribunal as well as appellate arbitral tribunal.

2. A perusal of both the awards clearly indicate that several opportunities were given to the petitioner to remain present and to file pleadings. The petitioner however on one or the other frivolous ground took several adjournments and refused to remain present before the learned arbitrator. Perusal of the award also indicates that the learned arbitrator has considered the entire matter on merits and has decided the claim in favour of the respondent. A perusal of the award rendered by the appellate bench clearly indicates that the finding of fact recorded by the Appellate Bench is not perverse. Various strictures are passed against the petitioner about his conduct and delay tactics played by the petitioner before both the forum. In my view there is no violation of principles of natural justice. The party who has bent upon delaying the proceedings without any reason cannot be

shown any indulgence by this court. The awards rendered by both the tribunals are on merits and does not require any interference. The petition is dismissed with cost quantified at Rs.25,000/- payable to the respondent within two weeks from today.

[R.D. DHANUKA, J.]