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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.11987 OF 2015

Jaber Hussain Zahed Ali

PETITIONER

VERSUS

Bombay Mercantile Co-OP Bank Ltd., & others

RESPONDENTS

WITH
WRIT PETITION NO.11990 OF 2015

Sk. Karim Shaikh Lal Patel

PETITIONER

VERSUS

Bombay Mercantile Co-OP Bank Ltd., & others

RESPONDENTS

.....

Mr. Prashant Nikam, Advocate for the petitioners

Mr. M. G. Deokate, Advocate for respondent No.1

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[CORAM : SUNIL P. DESHMUKH, J.]

DATE : 17th MARCH, 2016

ORDER :

1. These two writ petitions have been moved against common order dated 20th August, 2015 in respect of rejection of the applications by the arbitral tribunal for production of documents referred to in the applications by the petitioners.

2. Mr. Nikam, learned advocate for the petitioners submits that the order can be faulted with on various grounds and that

the impugned order depicts that there is non application of mind to the facts involved in the matter and the contentions appearing in the applications.

3. Arbitration proceedings are governed by the provisions under the Arbitration and Conciliation Act, 1996 and rules thereunder. The extent of judicial intervention in the matter has been circumscribed and restricted by said Act. Section 5 of the Act restricts intervention of the court.

4. In the circumstances, it would be open for the petitioners to adopt such measures as and when it would be available, pursuant to the provisions of the act and rules. No interference at this stage is called for.

5. Writ petitions as such, stand rejected with aforesaid observations.

[SUNIL P. DESHMUKH, J.]