

Vat

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***ORDINARY ORIGINAL CIVIL JURISDICTION******APPEAL No. 349 OF 2014******IN******ARBITRATION PETITION No. 338 OF 2012******WITH******NOTICE OF MOTION (L) No. 1723 OF 2014******IN******APPEAL No. 349 OF 2014******Behram Hoshan Bakht******...Appellant******Vs.******New York Stores and Restaurant and Ors. ...Respondents***

Mr. Vishwajit Kapse for Appellant

None for Respondents

CORAM : V. M. KANADE &***Mrs. SWAPNA S. JOSHI, JJ******DATE : SEPTEMBER 28, 2016******P.C. :***

1. We are informed by the learned counsel appearing on behalf of the Appellant that the present matter is wrongly mentioned as 'Appeal'. In fact, instead of 'Appeal', it should have been mentioned as an Application under section 37 of the Arbitration and Conciliation Act, 1996 and it should have been filed before the Learned Single Judge of the Original Side. It is submitted that the leave to amend may be granted.

2. Leave to amend is granted. Amendment to be carried out within two weeks. After the amendment, application under section 37 of the Arbitration and Conciliation Act, 1996 shall be placed by the office before the Learned Single Judge, who takes up these matters. Office to proceed.

Mrs. SWAPNA S. JOSHI, J.

V.M. KANADE, J.

Vaishali Tikam