

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO. 1317 OF 2015

Mrs Sunita Suresh Kabra

...Petitioner

Versus

Sterling Holiday Resorts (India) Ltd

...Respondent

Mr.Rishikesh Soni i/b. Ms.Pooja Gupta i/b. Ashok Purohit & Co., for
the Petitioner.

Mr.Shashank Thatte, for the Respondent.

CORAM : G.S.Kulkarni, J.**DATE : 28th August, 2017**

P.C. :

1. Learned Counsel for the petitioner states that the Arbitral Tribunal has already been constituted. He submits that in this situation the present petition can be presented by the petitioner before the Arbitral Tribunal to seek reliefs under Section 17 of the Arbitration and Conciliation Act,1996. Learned Counsel for the respondent is yet to file reply to this petition. A reply to Section 17 application can be very well be filed before the Arbitral Tribunal.

2. The petition is disposed by permitting the petitioner to place this petition as an application under Section 17 of the

Arbitration and Conciliation Act,1996 before the learned arbitrator.

All the contentions of the parties on the merits of the matter are expressly kept open.

[G.S.Kulkarni, J.]