

\$~25

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ ARB.A. 2/2017

QAMAR WAHEED NAQVI Appellant
Through None.

versus

INDEPENDENT NEWS SERVICES PVT. LTD Respondent
Through Mr.Rohan Swarup, Advocate

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

ORDER
% **11.08.2017**

Despite pass over, none is present for the petitioner.

This appeal is filed seeking to impugn the order of the learned arbitrator dated 28.04.2017 whereby the application for condonation of delay in filing the reply to the counter claim, which was filed beyond prescribed period, was allowed subject to payment of cost of Rs.15,000/-.

The present appeal is filed against the said order under Section 37(2)(a) of the Arbitration and Conciliation Act, 1996 (*hereinafter referred to as the Act*). Section 37(2)(a) of the Act reads as follows:

“37(2). An appeal shall also lie to a Court from an order granting of the arbitral tribunal.—

(a) accepting the plea referred in sub-section (2) or sub-section (3) of section 16; or

(b) granting or refusing to grant an interim measure under section 17.

Hence, the present order does not fall in the category where an appeal

lies. The impugned order is not an order passed under Sections 16 or 17 of the Act.

In view of the above, the present appeal is dismissed.

JAYANT NATH, J.

AUGUST 11, 2017/v