

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****WRIT PETITION NO. 2885 OF 2018****Aditya Birla Retail Limited****..... Petitioner****VERSUS****Ashok Dagduram Chopda (HUF)****..... Respondent**

Mr.Kapil Mourya, i/b. Mr.S.R.Page for the Petitioner.

CORAM : R.D. DHANUKA, J.**DATE : 16th OCTOBER, 2018****P.C.**

The matter is mentioned. Not on board.

2. By this petition, the petitioner has impugned the order passed by the District Court hearing the petition under section 34 of the Arbitration and Conciliation Act, 1996 impugning the arbitral award on the ground that certain documents which ought not to have been taken on record have been taken on record by the learned District Judge while hearing the arbitration petition filed under section 34 of the Arbitration and Conciliation Act, 1996.

3. In my view, the remedy of the petitioner would be to challenge the final order if the petitioner is aggrieved by such final order and can raise this as one of the ground in such proceedings.

4. I am not inclined to interfere with the impugned order passed by the learned District Judge at this stage.

5. Writ petition is dismissed with aforesaid clarification. No order as to costs.

6. The petitioner is directed to convey this order to the learned respondents as well as to the learned District Judge for compliance.

[R.D. DHANUKA, J.]

Kanchan
Vinod
Mayekar

Digitally signed
by Kanchan
Vinod Mayekar
Date: 2018.10.17
18:12:17 +0530