

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**ARBITRATION APPEAL (L) NO.210 OF 2018
IN
ARBITRATION PETITION (L) NO. 225 OF 2018**

Pranay Atul Safari and anr. ... Petitioners
Vs.
Arihant Industrial Corporation Ltd. ... Respondent

Mr.Vaibhav Pandya for the Petitioners.
Mr.Cyrus Bharucha with Ms.Kanita Baid-Chavan, Ms. Pooja Vasandani i/by M/s Rajani Associates for the Respondent.

**CORAM : R.D.DHANUKA, J.
DATE : APRIL 23, 2018.**

P.C. :

Not on board. Mentioned. Taken on board.

1. Learned counsel Mr.Vaibhav Pandya for the Petitioners has provided a photo-copy of the papers and proceedings. The Petitioners seeks a direction against the learned Arbitrator to decide the question of jurisdiction under Section 16 of the Arbitration and Conciliation Act 1996, and seeks an injunction against the learned Arbitrator and the Respondent No.1 from acting as per directions given under the minutes of the meeting

dated 16th April 2018, and 17th April 2018, and from holding any hearing on the said application.

2. In my view, the directions issued by the learned Arbitrator to hear the application in a particular sequence is not an appealable order under Section 37 of the Arbitration and Conciliation Act, 1996. Appeal is accordingly dismissed as not maintainable. It is made clear that the Petitioner would be entitled to challenge the order, if any, passed by the learned Arbitrator as proposed in the said minutes of the meeting alongwith arbitral award, if aggrieved under Section 34 of the Arbitration and Conciliation Act, 1996. No order as to costs.

(R.D.DHANUKA, J.)

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