

psv

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

COMMERCIAL ARBITRATION PETITION NO.534 OF 2018

Sonal Tarun Dedhia	..Petitioner
Vs.	
Hemang Harilal Dedhia	..Respondent

Ms.Shruti Bardia i/b. M/s.Jayakar And Partners for Petitioner.

CORAM : G.S. KULKARNI, J.

DATE : 22nd NOVEMBER, 2018

P.C.:

Heard learned Counsel for the petitioner. The respondent though served is not appearing. Affidavit of service of Mr.Uday Rane dated 26 July 2018 is placed on record.

2. The application today is that the dispute between the parties is already referred for arbitration of the learned Arbitrator Ms.Vaishali C. Chaudhary, Advocate. It is stated that the first meeting of the arbitration proceeding was held on 25 October 2018 wherein the respondent had appeared.

3. In the above circumstances, the petitioner has prayed that the present petition which is filed under Section 9 of the Arbitration and

Conciliation Act, 1996 (for short, “the Act”) be permitted to be treated as an application under Section 17 of the Act to be heard by the learned Arbitrator for appropriate interim measures as prayed by the petitioner. It is stated that the respondent has also consented for such course of action.

4. In the above circumstances, the petition is disposed of with a direction that the petition is permitted to be treated as an application under Section 17 of the Act to be adjudicated by the learned Arbitrator in the pending arbitration proceedings.

5. Learned Arbitrator shall consider Section 17 application as expeditiously as possible and shall decide the same within a period of 8 weeks from the date of presenting of such application.

6. The petition is disposed of in the above terms. No costs.

[G.S. KULKARNI, J.]