

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

COMMERCIAL ARBITRATION PETITION NO.141 OF 2016

Eros International Media Limited .. Petitioner

vs

Mr.Firoz A.Nadiadwala

Sole Proprietor of Base Industries Group.. Respondents

Mr.Udyan Shah I/b Mr.R.M.Azim for Petitioner

***Coram* : S.C.GUPTE, J**

Date : 24 NOVEMBER, 2018

P.C

1. This arbitration petition is for interim relief pending an arbitration reference. The matter is already before a sole arbitrator and parties have even discussed draft consent terms at some length. In the minutes of meeting held on 19.11.2018 before the learned arbitrator, this has been recorded and at the joint request of both parties, the matter has stood adjourned to 27.11.2018.

2. Learned counsel for the petitioner submit that the petitioner may take the subject matter of the present petition before the learned arbitrator himself under section 17 of the Arbitration and Conciliation Act 1996 but, to enable the petitioner to do so, the ad-interim stay granted by this Court in the present arbitration petition may be continued for a further period of two weeks.

3. The arbitration petition is disposed of by permitting the petitioner to take the petition before the learned arbitrator as an application under section 17 of the Arbitration and Conciliation Act, 1996. In the meantime, for a period of two weeks from today, the ad-interim stay passed in the matter shall continue to operate. The petitioner would be at liberty to apply for extension of this ad-interim relief or any other order pending his application under section 17 before the learned arbitrator.

(S.C.GUPTE, J)