

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

APPEAL NO.107 OF 2019

Carzonrent (India) Pvt. Ltd.

..Appellant

Versus

Pallazio Hotels & Leisure Limited

..Respondent

Mr. Farhan Dubash a/w Mr. Gaurav Jangle, Mr. Digant Bhatt I/by I. V. Merchant & Co., Advocate for the Appellant.

Mr. Birendra Saraf a/w Ms. Kirtida Chandarana & Ms. Manasi Kalvit I/by Mahernosh Humranwala, Advocate for the Respondent.

**CORAM : PRADEEP NANDRAJOG, C.J. &
SMT. BHARATI DANGRE, J.**

DATE : 22nd AUGUST, 2019

P.C.

1] Petition filed under Section 9 of the Arbitration and Conciliation Act, 1996, was disposed of on consent terms vide order dated 28.01.2016.

2] After the Award was rendered, the Appellant took out a Notice of Motion seeking clarification of the consent order dated 28.01.2016. The effect of which clarification centers on the liability to pay lease rental for one and half month.

3] Noting that the Award records that the issue of arrears of rent was dealt with by the learned Arbitrator covered the period in

question, the learned Single Judge has refused to give the clarification as prayed for.

4] The impugned order cannot be treated as one having been passed under Section 9 of the Arbitration and Conciliation Act, 1996. The order is held not to be an appealable order and thus the Appeal is rejected.

SMT. BHARATI DANGRE, J

CHIEF JUSTICE