

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

ARBITRATION PETITION NO.151 OF 2018

IndusInd Bank Limited .. Petitioner
Versus
Montage promoters Pvt. Ltd. & Ors. .. Respondents
Mr. M.B.Kale I/b. O.M.Gujar Law Chambers for petitioner

CORAM : G.S.KULKARNI, J.

DATE : 10th June 2019.

P.C.

Learned Counsel for petitioner informs that the arbitrator is already appointed to adjudicate the disputes between the parties. Respondents are already served. However, they are not appearing. In fact on 3rd June 2019, this Court had passed an order recording that the parties are trying to resolve the disputes amicably and the matter was accordingly adjourned for today.

2] In the circumstances, since the arbitral tribunal is already appointed and is seized of the matter and a statement is made that within two weeks, section 17 application would also be

preferred, it would be appropriate to dispose of this petition. Hence, the following order:-

(a) The petitioner is permitted to convert this petition filed under section 9 of the Arbitration and Conciliation Act into Application under section 17 of the Act to be adjudicated by the arbitral tribunal. Let the petition be presented within two weeks from today before the Arbitral Tribunal. Ad-interim granted on 8th February 2018 shall continue to operate till adjudication of the Section 17 application by the Arbitral Tribunal. All contentions are kept open.

(b) Petition is disposed of in the above terms.

(G.S.KULKARNI, J.)