

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

ARBITRATION PETITION NO. 149 OF 2017

Reliance Commercial Finance Ltd.

...Petitioner

vs

Jagadamba Hospitals Pvt.Ltd. & Ors.

...Respondents

Ms.Shirin Shaikh with Vivek Patil I/b. Vivek Patil & Associates for
Petitioner.

Ms.Shilpa Kapil for Respondent Nos.1 to 3.

CORAM : S.C.GUPTE, J.

DATE : 16 APRIL 2019

P.C. :

This petition has been filed under Section 9 of the Arbitration and Conciliation Act, 1996 seeking protective relief pending an arbitration reference. When the petition was filed, the reference had not commenced. The petition has been pending for quite sometime. There is no protective relief in this petition as of this date. Since an arbitral forum has now been constituted and is hearing the reference, any application in that behalf may have to be made before the arbitral forum under Section 17 of the Act.

2 Learned Counsel for the Petitioner, accordingly, seeks leave to convert the present petition into an application under Section 17 before the arbitral forum and permit her to apply for interim reliefs accordingly before the arbitrator. On her application, the arbitration petition is converted into an application under Section 17 before the sole arbitrator and shall be heard accordingly. The arbitration petition is disposed of in these terms.

(S.C. GUPTE, J.)