

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****COMMERCIAL ARBITRATION PETITION NO.1 OF 2017****WITH****CHAMBER SUMMONS NO.472 OF 2018****IN****COMMERCIAL ARBITRATION PETITION NO.1 OF 2017**

L And T Finance Limited

....Petitioner

vs

Suvarna Karnataka Cements Pvt. Ltd. And 4 Ors.

...Respondents

.....

Mr. Mayur Bhojwani, i/b. Manilal Kher Ambalal & Co., for the
Petitioner/Applicant.

Mr. Devendr Chauhan, i/b. Mr. Santosh Ghate, for Respondent Nos. 4
and 5.

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CORAM : S.C. GUPTE, J.**DATED: 9 APRIL 2019****P.C.:**

. This arbitration petition, filed under Section 9 of the Arbitration and Conciliation Act, 1996, *inter alia* seeks disclosure of the Respondent's assets. The grievance of the Petitioner is that despite three orders passed by this Court, the disclosure is not complete. It is not in dispute that the arbitration reference is currently under way and is at the stage of evidence. Any orders by way of disclosure or otherwise may appropriately be sought before the arbitral forum under Section 17 or as part of evidence. The arbitration petition is, accordingly, disposed of with liberty to the Petitioner to seek appropriate reliefs from the arbitrator. The Petitioner may include, in any future application before the arbitral

forum in pursuance of the liberty reserved herein, its allegations in the arbitration petition herein, as amended by the draft amendment handed in and permitted by order dated 7 February 2019. The orders passed by this Court in the present arbitration petition shall continue to operate for a period of four weeks from today. In case any application is moved before the arbitrator, it will be open on the Respondents to rely on their disclosures made in the affidavits of 14 March 2019 on behalf of Respondent Nos. 4 and 5 for opposing continuation of the restraint order passed on 7 February 2019.

(S.C. GUPTE, J.)