

psv

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMMERCIAL ARBITRATION PETITION (L.) NO.300 OF 2020**

VRC Constructions (India) Pvt. Ltd. ..Petitioner
Vs.
M/s.Fernas Construction Pvt. Ltd. & Ors. ..Respondents

Mr.S.A. Bhalwal with Mr.K.M. Patil i/b. M/s.Vyas & Bhalwal for Petitioner.
Mr.M.H. Kane and Ms.Harsha Uppal i/b. W.S. Kane & Co. for Respondent No.3.

**CORAM : G.S. KULKARNI, J.
DATE : 9th MARCH, 2020**

PG.:

This petition under Section 9 of the Arbitration and Conciliation Act, 1996 (for short, "the Act") is filed praying for the following reliefs:-

“(a) That pending the hearing and final disposal of the arbitration proceedings, between Respondent Nos. 1, 2 & 3, before the Tribunal, this Hon’ble Court may permit the Petitioner to be impleaded as party claimant to the ongoing arbitration proceedings of Respondents;

(b) This Hon’ble Court may direct the Respondent Nos. 1, 2 & 3 to disclose the name and address of the Tribunal of on going the pending arbitration proceedings between Respondent Nos. 1, 2 & 3”

2. I am afraid that this Court would not have jurisdiction under Section 9 of the Act to grant the above reliefs in respect of an arbitration which is pending *inter se* between respondent Nos.2 and 3. If the petitioner has any contractual rights against any of the respondent, the respondent is free to adopt appropriate proceedings and take such recourse by following a legal procedure.

3. The petition is disposed of keeping all contentions of the petitioner open to resort appropriate proceedings. No costs.

[G.S. KULKARNI, J.]