

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

**COMMERCIAL APPEAL NO. 95 OF 2020  
IN  
COMMERCIAL ARBITRATION PETITION NO. 29 OF 2016**

Ashadevi Rajendrakumar Gupta ...Appellant

Versus

Atul Projects India Private Limited & Anr. ...Respondents  
.....

None for the Appellant.

Mr. Ashish Suryawanshi a/w. Mr. Ankur Kalal i/b. M/s. Markand  
Gandhi and Co. for Respondent No.1.

Mr. Dipesh Siroya for Respondent No.2.  
.....

**CORAM : R.D. DHANUKA &  
V.G.BISHT, JJ.**

**DATE : 22<sup>nd</sup> March, 2021**

**P.C.:**

1. The appellant has impugned the order dated 25<sup>th</sup> June, 2019 passed by the learned Single Judge thereby impounding the Memorandum of Understanding entered into between the original respondent No.1/applicant in a Petition under Section 11 of the Arbitration and Conciliation Act, 1996 (for short, “the said Act”)

2. In our view, the order passed by the learned Single Judge in the Commercial Arbitration Application under Section 11 of the said Act is not appealable under Section 37 of the said Act and the same is accordingly dismissed as not maintainable.

3. In view of dismissal of the Appeal, pending Notice of Motion, if any, also stands disposed of.

**(V.G.BISHT, J.)**

**(R.D.DHANUKA, J.)**