

D/L- 7
29/07/2025
Ct. No.-6
Aritra

C.O. 2662 of 2025
Mehabuba Khatun
Vs.
Bajaj Finance Limited

Mr. Shambhunath Ray
Ms. Tuhina Parvin

...for the petitioner

This application under Article 227 of the Constitution of India is directed against an arbitration award dated February 20, 2025 passed by the sole arbitrator at Pune.

Section 34 of the Arbitration and Conciliation Act, 1996 states that recourse to a Court against an arbitral award may be made only by an application for setting aside such award in accordance with sub-section (2) and sub-section (3) of Section 34. Since the Arbitration and Conciliation Act, 1996 provides for a specific remedy for setting aside an arbitral award, this Court is not inclined to entertain this application under Article 227 of the Constitution of India.

That apart, the arbitration award was passed at Pune. This Court also cannot exercise supervisory jurisdiction under Article 227 of the Constitution of India in respect of an arbitral award passed at Pune.

Mr. Ray, learned advocate appearing for the petitioner submits that considering the fact that the petitioner is a widow, this Court should entertain this

civil revision application. He placed reliance upon the decisions of the Hon'ble Supreme Court in the case of **Disortho S.A.S. vs. Meril Life Sciences Private Limited**, reported at **2025 INSC 352** and **BGS SGS Soma JV vs. NHPC Limited**, reported at **2020 4 SCC 234** in support of such contention.

After going through the said judgments, this Court finds that those judgments are not an authority for the proposition that an arbitral award can be set aside by filing an application under Article 227 of the Constitution of India.

Mr. Ray, learned advocate for the petitioner further submits that part of the cause of action arose in Berhampore and in view of Section 20 of the Arbitration and Conciliation Act, 1996 an application under Article 227 of the Constitution of India is maintainable before this Court.

Without entering into such controversy, since an efficacious remedy has been provided under the Arbitration and Conciliation Act, 1996, this Court is not inclined to entertain this civil revision application.

In view thereof, CO 2662 of 2025 stands disposed of with liberty to the petitioner to approach the appropriate forum in accordance with law.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Hiranmay Bhattacharyya, J.)