

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.534 OF 2025

M/s. Prakash Stone Crusher & Ors.
V/S

....Petitioners

M/s. Raj Path Infracon Pvt. Ltd.

....Respondent

Mr. Vikram S. Undre *for the Petitioners.*

Ms. Mrunmayi Khambete i/b Mr. Vilas B. Tapkir *for Respondent.*

CORAM: SANDEEP V. MARNE, J.

DATE : 17 JANUARY 2025.

P.C.:

The Petition seeks to challenge order dated 5 December 2024 passed by the learned Arbitrator rejecting the application preferred by the Petitioners for rejection of the counter-claim on the ground of its maintainability. If the counter-claim is decided by the learned Arbitrator on merits, the Petitioners have remedy of challenging the award of the learned Arbitrator for filing Arbitration Petition under Section 34 of the Arbitration and Conciliation Act, 1996 (**the Act**). Writ Petition cannot be filed challenging interlocutory orders passed by the learned Arbitrator. Reserving the remedy to question maintainability of the counter-claim to be raised under Section 34 of the Act, the Writ Petition is **disposed of**.