

rajshree

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL APPEAL NO.62 OF 2024
IN
CHAMBER SUMMONS NO.1209 OF 2015

Pranav Choksi] .. Appellant
vs.
National Spot Exchange Ltd. & Ors.] .. Respondents

Ms.Lakshita Patyal i/b Nidhi Chheda for the Appellant.

Mr.Ashish Kamat, Senior Advocate a/w Vaibhav Bhure, Melvyn Fernandes and Anuya Pathare i/b Vaish Associates for the Respondents.

**CORAM : ALOK ARADHE, C.J. &
BHARATI DANGRE, J.**

DATE : 4th FEBRUARY, 2025.

P.C.

1. In this Appeal filed under Section 37 of the Arbitration and Proceedings Act, 1996, the Appellant has assailed the order dated 13/01/2022 by which Chamber Summons for rejection of the Plaint has been dismissed.

2. The learned senior counsel for the Respondents has raised a preliminary objection with regard to maintainability of the Appeal on the ground that neither Appeal under Section 13(1)(A) of the Act nor under

Order XLIII Rule 1 of the Code of Criminal Procedure, lies before this Court.

3. In support of his submission reference has been made to Para no.11, 15 to 17, 27 and 28 of the order order dated 15/12/2023, passed in Appeal from Order No.362/2021.

4. However, the learned counsel for the Appellant prays for adjournment on the ground that the arguing counsel is not available.

5. List on 18/02/2025.

(BHARATI DANGRE, J.)

(CHIEF JUSTICE)