

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

ARBITRATION PETITION NO.356 OF 2024

Babubhai Animesh Thiba

....Petitioner

V/S

Western Indian Film and TV

Producers Association

....Respondent

**WITH
INTERIM APPLICATION NO.3346 OF 2024
IN
ARBITRATION PETITION NO.356 OF 2024**

Babubhai Animesh Thiba

....Applicant

V/S

Western Indian Film and TV

Producers Association

....Respondent

Mr. Ashok M. Saraogi with Mr. Anand Mishra, Mr. Amit Dubey and
Ms. Aahana Shrivastava *for the Petitioner/Applicant.*

**CORAM : SANDEEP V. MARNE, J.
DATE : 11 NOVEMBER 2025.**

P.C.:

1. The Petitioner believes that the directives issued by the Dispute Settlement Committee of Western India Film and TV Producers Association (**WIFPA**) is an Award passed under provisions of the Arbitration and Conciliation Act, 1996 (**the Act**) and under that belief the present Arbitration Petition is filed under provisions of Section 34 of the Act. However, WIFPA has clarified in paragraph 26 of its Affidavit-in-Reply as under:

“26. I say that the allegation made by the Petitioner Mr. Babubhai s/o Animesh Thiba, labeling the “Directive Order” issued by Respondent

No.1, Western India Film and TV Producers Association (“WIFPA”), as an “Arbitral Award” holds no merit and is entirely baseless. The dispute resolution and settlement process employed by Respondent No.1 is not arbitration. The Petitioner has inaccurately characterized Respondent No.1’s directive, non-building process as an arbitration proceeding. Therefore, the captioned Arbitration Petition lacks substance since Respondent No.1, Western India Film and TV Producers Association (“WIFPA”) has not initiated arbitration in this present matter. It is important to note that Respondent No.1 did not label the directive order issued on 12.07.2023, as an ‘Arbitral Award’ or refer to the proceedings as arbitration. The Petitioner, with the intent to mislead the Court and to cause inconvenience and to defame the Respondent No.1 has baselessly represented Respondent No.1’s internal dispute resolution process as an “*arbitration proceeding*”.

2. Thus what is challenged in the present Petition is not an Arbitral Award. In view of a specific clarification by WIFPA in its Affidavit-in-Reply that the directives issued by it is not an Arbitral Award, the same cannot be enforced as if it is a decree of the Civil Court.

3. In that view of the matter, the Arbitration Petition is not maintainable and the same is accordingly disposed of.

4. In view of the disposal of the Arbitration Petition, nothing would survive in the Interim Application and the same is also disposed of accordingly.

(SANDEEP V. MARNE, J.)

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