

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

ARBITRATION APPEAL NO. 8 OF 2025
WITH
INTERIM APPLICATION NO. 3118 OF 2025
IN
ARBITRATION APPEAL NO. 8 OF 2025

Dattatray Suresh Rupanwar and Anr. ... Appellants

Versus

M/s. Sany Heavy Instrutry India Pvt. Ltd. ...Respondent
Through its Authorised Officer

Mr. Pratik Sabrad a/w Ashay Rabade i/by Mohan Vishnu, *for the Appellants*

Ms. Bijal K. Gogri i/by GNP Legal, *for the Respondent.*

CORAM : SOMASEKHAR SUNDARESAN, J.
DATE : FEBRUARY 20, 2026

ORDER :

1. This is an Appeal challenging an order passed under Section 9 of the Arbitration and Conciliation Act, 1996 (***“the Act”***). Even while the Appeal has been pending, in disposal of the Application under Section 11 of the Act, a Learned Arbitral Tribunal has already been constituted. The parties have consensus on treating these proceedings as continuing proceedings under Section 17 of the Act before the

Learned Arbitral Tribunal which is already said to be seized of an Application under Section 17 of the Act.

2. In these circumstances, without expression of an opinion on merits of this Appeal or the order impugned, leaving it entirely to the Learned Arbitral Tribunal to direct such appropriate interlocutory measures as it deems fit, this Appeal is *finally disposed of*.

3. In view of disposal of the Arbitration Appeal, Interim Application, if any, stands disposed of.

4. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]