


**IN THE COURT OF DISTRICT JUDGE-3, AHMEDNAGAR,
AT : AHMEDNAGAR
(Presided over by Shri M. H. Shaikh)**

<p>MHAH01005210 2016</p> 	<p>Arbitration Case No.12/ 2016</p> <p>M/s. Shinde and Sons, Through its Partner Satish Budhajirao Shinde ...Applicant.</p> <p style="text-align: center;">Versus</p> <p>Deputy Chief Engineer (Construction) Central Railway, Near old DRM Office Mal Dhakka Chowk, Pune & Others ...Opponents</p>
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**Order below Exh. 1 :-
(Delivered on 18/02/2026)**

- 1) Today this matter is taken on board by the court.

- 2) This is an application under section 9 of the Arbitration and Conciliation Act. This court has gone through the contents of this application. It is contended in the application that, Rs.140 Crores is due from the opponents, as the value of the said Arbitration Case is Rs.140 Crores, therefore this court finds that, the said case is required to be transferred to the commercial court i.e. District Judge-2, Ahmednagar.

- 3) This court has gone through section 10 of Commercial Courts Act. Section 10 deals with jurisdiction in respect of Arbitration matter. Section 10(3) of the Commercial Courts Act, reads as under :-

If such arbitration is other than an international commercial arbitration, all applications or appeals arising out of such arbitration under the provisions of the Arbitration and Conciliation Act, 1996 would ordinarily lie before any Principal Civil Court of original

jurisdiction in a District (not being a High Court) shall be filed in, and heard and disposed of by the Commercial Court exercising territorial jurisdiction over such arbitration where such Commercial Court has been constituted.

4) From the above provisions, what can be gathered is that, if the subject matter of an arbitration is commercial dispute of a specified value, then the Commercial Court has jurisdiction to decide all applications or appeals arising out of such arbitration. The said case is filed under section 9 of the Arbitration and Conciliation Act against the award passed by the Arbitral Tribunal. Commercial Court is established at Ahmednagar and Ld. District Judge is designated as Commercial Court. Therefore, as the application is under Arbitration and Conciliation Act and it is a commercial dispute between the parties of more than a specified value. Therefore, this court finds that, it does not have jurisdiction to decide the said case and it is to be decided by the Commercial Court. Hence the order :-

ORDER

1	Office to make a report to the Hon'ble Principal District Judge to transfer the said case to the Commercial Court.
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Date : 18/02/2026

(M.H. Shaikh)
District Judge-3
Ahmednagar.