**AAPPLICATION CHALLENGING THE JURISDICTION OF THE ARBITRATOR UNDER SECTION 16**

**Before the Hon'ble Sole Arbitrator/Arbitral Tribunal**

In the Matter of Arbitration

Between   
  
Mr…………...................................................at………………………………………….... Claimants;

Vs.   
  
Mr……………………………………………..……………at…………………………………......... Opposite Party.

The applicants/claimants/respondents above named beg to state as under:—   
  
1. That the aforesaid claim petition/alleged arbitration dispute was referred to the Learned Arbitrator/Arbitral Tribunal in pursuance of an alleged arbitration agreement by the claimant.   
  
2. That [facts showing why the arbitrator has no jurisdiction/such as because there is no arbitration clause between the parties. . .].

3. That in view of the aforesaid facts the Learned Arbitrator/Arbitral Tribunal has no jurisdiction to proceed with the present statement of claims preferred by the claimants and as such would be without jurisdiction hence as such the claim petition of the claimants is liable to be rejected outright.   
  
4. That the applicant without submitting to the jurisdiction of the Learned Arbitrator has pleaded the aforesaid.   
  
PRAYER   
  
Wherefore, it is respectfully prayed that in the interest of justice and the above stated preliminary objections and facts and circumstances of the case, this Hon'ble Arbitral Tribunal may be pleased not to entertain the arbitration disputes and the proceedings may kindly be dismissed as not maintainable since the tribunal/Learned Arbitrator does not possess jurisdiction to entertain the same due to lack of competence, and the alleged disputes referred to this tribunal by the claimants be rejected with costs in favour of the respondents.

Thane  
  
Dated:   
  
Advocate