



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 8606 OF 2024

Santosh Shantilal Muthiyan

VERSUS

Ms Saffron Developers Pvt Ltd Through Its Director And
Others

...

Mr. M. R. Sonawane, Advocate for the Petitioner

Mr. Aditya Sikchi, Mr. Rajat Malu, Mr. Shreyas Patani,
Advocates for Respondent no.1

...

WITH

WRIT PETITION NO. 8605 OF 2024

Santosh Shantilal Muthiyan

VERSUS

Ms Saffron Developers Pvt Ltd Through Its Director And
Others

WITH

WRIT PETITION NO. 8607 OF 2024

Santosh Shantilal Muthiyan

VERSUS

Ms Saffron Developers Pvt Ltd Through Its Director And
Others

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CORAM : AJIT B. KADETHANKAR, J.

DATED : 31ST AUGUST, 2026

P.C. :-

. At the outset, both the learned Advocates for the respective parties submit that these petitions be disposed of with a direction to the learned Judge of the Commercial Court to frame the following two issues in addition to other issues, if any. The proposed issues are as follows:

(i) Whether the commercial Court has jurisdiction to try the dispute?

(ii) Whether the suit would be maintainable in the light of the terms of the subject matter – memorandum of understanding?

2. The Writ Petitions stand disposed of with a request to the learned Judge of the Commercial Court to frame aforesaid issues in addition to other issues, if any. It is clarified that this Court has not commented on the merits of the case, and all contentions of the respective parties are kept open for consideration by the Commercial Court.

3. Needless to observe, the impugned order shall not come in way of the learned Judge of the Commercial Court while deciding the aforesaid two issues which are proposed today. It is also clarified that the parties may explore the possibility of an amicable settlement, if they agree so.

4. In view of the above, All Writ Petitions stand disposed of.

(AJIT B. KADETHANKAR, J.)