

by an order dated 20/12/2014. For the reasons set out in the affidavit in support of the Notice of Motion, the Notice of Motion deserves to be allowed. Accordingly, Arbitration Petition No. 1262 of 2014 is restored to the file of this Court.

3. Mr. Page, learned Counsel for the petitioner submits that the dispute is only in regard to the interest amount on the consideration of amount towards cost of flat purchased by the petitioner from the respondents. He submits that according to the petitioner the interest amount is about Rs.19,000/-, he submits that the respondent is, however, claiming Rs.70,000/-. Learned Counsel for the Petitioner states that the petitioner has expressed his willingness to deposit the disputed amount in this Court. It would be outside the scope of the present Notice of Motion to pass any other orders. The petitioner would be at liberty to move the regular Court in this regard. In the light of the aforesaid observations, the following order is passed:

Order

- I) Notice of Motion No. 1591 of 2014 is allowed.
- II) Arbitration Petition No.1262 of 2014 is restored to the file of this Court to be heard on merits.
- III) Place the Arbitration Petition before the regular Court on 15/01/2015.
- IV) Notice of Motion stands disposed of.

Parties to act on authenticated copy of this order.

(G. S. KULKARNI, J.)