

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

ARBITRATION APPEAL (ST) NO.31471 OF 2014
 WITH
 CIVIL APPLICATION NO.37 OF 2014
 IN
 ARBITRATION APPEAL (ST) NO.31471 OF 2014

...

M/s.Amisha Buildcon Pvt.Ltd. ...Appellant

v/s.

Jidnyasa Co-operative Housing Society ...Respondent

...

Mr.A.A.Kumbhakoni with Mr.Vaibhav R.Gaikwad for the Appellant.
 Mr.S.U.Kamdar with P.Mishra i/b H.G.Mishra for the Respondent.
 Mr.Akhilesh S.Dubey for the Intervenor.

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CORAM : A.A. SAYED, J.

DATED : 16 JANUARY 2015

P.C.

It is an admitted position that the Application under section 9 of the Arbitration & Conciliation Act, 1996 is still pending and what is impugned in this Appeal is only an ad-interim order.

2. In the circumstances, the Counsel for the parties are agreed to the following order being passed:

- (i) The Developer- Rajkamal Realtors Pvt. Ltd., who has filed an Intervention Application in the section 9 Application, shall be allowed to intervene and will be heard by the Trial Court while deciding the section 9 Application.

- (ii) The Trial Court shall hear and dispose of the Application on or before 27 February 2015.
 - (iii) The parties shall co-operate and not seek unnecessary adjournments.
 - (iv) The status-quo order granted on 2 December 2014 by this Court shall continue till disposal of the Application.
 - (v) This order is passed without prejudice to the rights and contentions of the parties. All contentions are kept open.
2. The Arbitration Appeal shall stand disposed of in the aforesaid terms.
3. In view of disposal of the Arbitration Appeal, the Civil Application does not survive for consideration and is disposed of as such.

(A.A. SAYED, J.)

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