

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION APPLICATION NO.196 OF 2014**

M/s. Gajanan Properties, through its
Partner Mr. Vinod Kumar Anniruddha Mishra ... Applicant
versus
Mr. Gajanan Budhya Dhone and Ors. ... Respondents

Mr. Akhilesh Singh, for Applicant.
Mr. P.K.Pethe, for Respondent Nos.1 to 6, 8 to 11, 13 to 17, 19, 21.
Mr. R.S.Khadapkar, for Respondent No.24.

**CORAM: S.J. KATHAWALLA, J.
DATE: 13th JANUARY, 2015**

PC.:

1. Heard the learned Advocates for the parties and by consent, the following order is passed :

(i) The Applicant herein shall file a Suit qua the subject matter of the Memorandum of Understanding dated 09-06-2005, Deed of Declaration dated 24-04-2007 and Sale Deed in favour of Respondent No.24 dated 10-09-2008.

(ii) All contentions of the parties are kept open, except the contention that the Applicant ought to have filed Arbitration proceedings against the parties.

(iii) The Arbitration Application is accordingly disposed of.

(S.J.KATHAWALLA, J.)