

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION (L) NO. 1699 OF 2015

Kashyap Yogesh Mody & Anr.

..... Petitioners

VERSUS

Taruna Navnit Mehta

..... Respondent

Ms. Deepti Panda, a/w. Mr. Abhijeet Pange, i/b. Pardiwala & CO. for the Petitioners.

Mrs. Taruna Navnit Mehta, Respondent present in person.

Mr. Navnit Mehta, representative of the Respondent present.

CORAM : R.D. DHANUKA, J.

DATED : 21st SEPTEMBER, 2015

P.C.

Matter is placed on board under the caption of ad-interim relief under section 9 of the Arbitration and Conciliation Act, 1996. I have heard the learned counsel for the petitioners and also the husband of the respondent finally. Respondent is also present in court.

2. By this petition filed under section 9 of the Arbitration and Conciliation Act, 1996, the petitioners seek appointment of the Court Receiver and injunction in respect of the premises described at Ex.A to the petition.

3. A perusal of the record indicates that the agreement was executed between the parties on 24th November, 2009. The petitioners have only made part payment. The respondent has already terminated the agreement long back. The correspondence exchanged between the parties are from 2009 onwards.

4. Mr.Mehta, the representative of the respondent states that the respondent has already sold the flat in favour of a third party on 18th December, 2014. The society has already transferred the suit flat in favour of the said third party purchaser on 23rd March, 2015.

5. In my view, the petitioners have not thus made out any case for any interim measures. Arbitration petition is dismissed. No order as to costs.

[R.D. DHANUKA, J.]

CERTIFICATE

Certified to be true and correct copy of the original signed order.