

JSN

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY PETITION NO.808 OF 2015

Pacific Interiors Pvt. Ltd.	...Petitioner
<i>Versus</i>	
Junobo Hotels Private Ltd.	...Respondent

Mr. Vikram Sathye, *a/w. Mr. Abhishek Sawant, Ms. Jyoti Ghag, i/b. Thakore Jarimala & Associates for the Petitioner.*

Mr. Javed Gaya, *a/w. Ms. Lokhandwala a/w. Ms. Vidya Choudhari, a/w. H.V. Kode i/b. M/s. Chambers of Javed Gaya for the Respondent.*

CORAM: G.S. PATEL, J.
DATED: 15th March 2016

P.C.

1. I have by a separate order today dismissed, essentially on the ground of disputed questions of fact, a companion Petition No.720 of 2015. The Petitioner in the present case is a sister concern of the Petitioner in Company Petition No.720 of 2015. It seems that the Respondent and the Petitioner in the present Company Petition had contractual dealings relating to the same project involved in the other petition. The present Petitioner was engaged to provide certain civil services including fit outs, layouts and so on. Disputes arose in regard to the Petitioner's performance of these contractual obligations. The Respondent says that the work was unsatisfactory and have to be redone through new consultants. There are

allegations and counter allegations and these disputes have also been taken to arbitration. Both contracts were interlinked; the one in this Petition related to civil work (a civil works contract), and the one in the companion Petition related to certain services such as obtaining clearances and so on.

2. Even most cursory look at this Petition and the Affidavit in Reply to it leads me to believe that these disputes are not matters that can be decided in a summary jurisdiction. All these require taking evidence. There is no admitted debt or liability. There are serious disputes about the quality of work and its timeliness.

3. This Petition also dismissed. No order as to costs.

(G. S. PATEL, J.)