

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**CHAMBER SUMMONS NO.736 OF 2014
IN
SUIT NO.654 OF 2013**

Godrej Industries Ltd.Plaintiff/Applicant

V/s.

Jer Rutton Kavasmaneck & Ors.Defendants

And

Percy Rutton KavasmaneckRespondent

Mr.Cyrus Bharucha a/w Ms.Aditi Bhansali i/by Bharucha & Partners
for the plaintiff.

Mr.Mayur Khandeparkar i/by M/s.Dhru & Co. for defendant no.2 and
for respondent in Chamber summons.

**CORAM : K.R.SHRIRAM,J
DATE : 19.10.2016**

P.C.:-

1 The counsels for the plaintiff and the defendants state that the subject matter of this suit is subject matter of an arbitration proceeding between the parties. The counsel for the plaintiff states that all points which they have raised in this Suit and in this Chamber summons, they will raise it before the learned Arbitrator. Mr.Khandeparkar for the defendant no.2 has no objection.

2 Therefore, keeping open the rights and contentions of the parties in this Suit and the Chamber summons to be raised before

the learned Arbitrator in the arbitration proceeding, the Suit and the Chamber summons are dismissed as withdrawn. Refund of court fees, if any, in accordance with Rules.

(K.R.SHRIRAM,J)