

JSN

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS (L) NO. 394 OF 2017
IN
ARBITRATION PETITION (L) NO. 66 OF 2017

Darisa Builders Pvt Ltd & Anr	... Petitioners
<i>Versus</i>	
Prince Developers & Ors	... Respondents
<i>And</i>	
Abdul Razak Kasam & Associates	... Proposed Respondent No.5

Mr Cherag Bulsara, with Hamza T. i/b Diamondwala & Co for
Applicants / Petitioners.

Mr Simil Purohit, with Ms Ekta, Ms N Mishra i/b MDP & Partners
for the Respondent.

CORAM: G.S. PATEL, J
DATED: 8th March 2017

PC:-

1. After some hearing, I believe the Chamber Summons, by the Petitioners for addition of a party as Respondent No.5 to this Petition under Section 9 of the Arbitration and Conciliation Act, is one that must be allowed. However both sides agree that there are in fact two agreements, each with its own arbitration clause and

therefore, there will ultimately need to be two separate references to arbitration.

2. The Chamber Summons is made absolute in terms of the prayer clause (a).

3. Amendments to be carried out on or before 17th March 2017.

4. A copy of the amended Petition to be served upon the Advocates for the Respondent on or before 22nd March 2017.

5. Liberty to the Petitioners to have the matter circulated thereafter for ad interim reliefs. In the meantime both sides have an understanding which will be recorded in Advocates' correspondence as to inspection of each others' books of accounts and bank statements.

6. It is always open to the Petitioners to renew their application for further reliefs including in terms of prayers (b), (c) and (d) of the present Chamber Summons.

7. All rights and contentions are kept open.

8. The present Chamber Summons is disposed of in these terms.

(G. S. PATEL, J.)