

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

ARBITRATION APPEAL (L) NO. 26998 OF 2018

M/s. Sai Shiva Infra Developers ... Appellant

Versus

Gangadhar CHSL. ... Respondent

ALONG WITH

CIVIL APPLICATION (L) NO. 26999 OF 2018

IN

ARBITRATION APPEAL (L) NO. 26998 OF 2018

Mr. Mayur Khandeparkar I/b. Mr. Mohanish Chaudhari for the Appellant.
Mr. Zubin Behramkamdin I/b. Mr. S.S. Deshmukh for the Respondent.
Mr. Deore for Mr. Suryakant Gaonkar, Mr. Santosh Pokale and Mr. Vikas Bhingarde.
Mr. Suryakant Gaonkar, Mr. Santosh Pokale and Mr. Vikas Bhingarde, present in person.

CORAM : S.J. KATHAWALLA, J.
DATED : 30TH OCTOBER, 2018

P.C.:

1. By consent of the parties including minority members represented through Advocate Deore, the following order is passed :
 - i. The impugned order dated 6th September, 2018 is set aside.
 - ii. The Respondent Society shall proceed to execute and register the Supplementary Agreement as per the resolutions passed at the Special and General Body Meetings held on 29th September, 2017 and 3rd June, 2018.
2. In view of the aforesaid, the dispute in the arbitral proceedings do not

survive and the same are therefore disposed off.

3. The Appellant shall pay all necessary charges of Arbitral Tribunal and shall also reimburse such charges as may have been incurred by the individual members towards fees of Arbitral Tribunal.

4. The above Appeal as well as Application are accordingly disposed of.

(S.J.KATHAWALLA, J.)