

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

**COMMERCIAL ARBITRATION APPLICATION NO.122 OF 2017  
WITH  
COMMERCIAL CHAMBER SUMMONS NO.453 OF 2018  
IN  
COMMERCIAL ARBITRATION APPLICATION NO.122 OF 2017**

S. Shailendra Babu S/o. Sidharamanna ....Applicant

Vs.

Micro Ankur Developers & Ors. ....Respondents

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Mr. Ashok M. Saraogi for applicant.

Mr. S.R. Nargolkar I/b. Mr. Kamallesh P. Mali for respondent nos.1 to 6.

Mr. P.B. Joshi I/b. Mr. B.J. Joshi for respondent no.7.

Ms. Archana Deshmukh a/w. Mr. Alok Vajpeyi I/b. Singhania and Co. for respondent no.8 and for applicant in CHSCD/453/2018.

Ms. Kalyani Tulankar for applicant in CHSCDL/367/2018 (intervener).

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

**DATE : 31<sup>th</sup> AUGUST, 2018**

**P.C.:**

**COMMERCIAL CHAMBER SUMMONS NO.453 OF 2018**

1           Mr. Saraogi states that the relief as prayed for in this chamber summons can be granted and undertakes to delete respondent no.8. Mr. Saraogi states that his agreeing to delete respondent no.8 should not be construed as admitting whatever is stated in the affidavit in support. The same is noted.

2           In view of this statement made by Mr. Saraogi, chamber summons is allowed and accordingly disposed in terms of prayer clause – (a).

3 Amendment to be carried out and copy of the amended application to be served within one week from today.

**COMMERCIAL CHAMBER SUMMONS (L) NO.367 OF 2018**

1 Not on board. By consent of the parties is taken up for hearing.

2 Mr. Saraogi states that without prejudice to applicant's rights and contentions and the concession not being construed as an admission of the averments made in the affidavit in support, this chamber summons can be allowed in terms of prayer clause – (a).

3 Chamber summons is allowed and accordingly disposed in terms of prayer clause – (a).

4 Amendment to be carried out and copy of the amended application to be served within one week from today.

5 Affidavits in reply to be filed and copy served within two weeks of receiving copy of the amended application. Rejoinder, if any to be filed and copy served within one week thereafter.

6 Stand over to 12<sup>th</sup> October 2018.

Gauri  
Amit  
Gaekwad

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signed by  
Gauri Amit  
Gaekwad  
Date:  
2018.09.05  
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(K.R. SHRIRAM, J.)