

sg

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO.748 OF 2016

Naina Fernandes & Ors.Petitioners
vs
M/s. Grace Gharunda And 18 Ors. ...Respondents
WITH
NOTICE OF MOTION NO.2359 OF 2016
IN
ARBITRATION PETITION NO.748 OF 2016

Stephen Alias Steven G. FernandezPetitioners
vs
M/s. Grace Gharunda And 18 Ors. ...Respondents
.....
Ms. Amruta Athavale, i/b. R.C. Dhuru, for the Petitioners.
Mr. Mohd. Rehan Sayeed Chhapra, for Respondent No.1.

.....
CORAM : S.C. GUPTE, J.

DATED: 13 DECEMBER, 2018

P.C.:

. Learned Counsel for the Petitioners seeks leave to withdraw the petition with liberty to file appropriate application before the concerned authority in respect of the subject matter of the present petition. Learned Counsel submits that in a connected matter, insofar as one particular claim of the Respondents is concerned, it has been held by this Court that by an order dated 17 October 2018, that claim would be payable only upon issuance of an occupation certificate in respect of the sale component of the SRA project, which was the subject matter of that

petition. Learned Counsel submits that considering this particular direction in the companion arbitration petition, the Petitioners propose to reserve such liberty.

2. Petition dismissed as withdrawn with liberty as prayed. No order as to costs.

3. In view of the dismissal of the petition, nothing survives in the notice of motion and the same is disposed of.

(S.C. GUPTE, J.)