

JPP

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

WRIT PETITION NO. 2961 OF 2017

Shekhar S. Shetty

... Petitioner

V/s.

The Mumbai Building Repairs and
Construction Board and Ors.

... Respondents

Mr. Sharmili Mhatre I/b. Rohit Shetty for the Petitioner.

Mr. Piyush Shah for Respondent No.2.

Ms. Pooja Yadav for Respondent No.4 – MCGM.

***CORAM : B.P. Dharmadhikari and
Sarang V. Kotwal, JJ.***

DATE : 4 December 2018

P.C. :

Counsel for Petitioner and Respondent No.2 jointly state that connected matters are already referred to same Arbitrator by learned Single Judge of this Court on 31 August 2018 vide Suit No. 256 of 2013. Similarly, City Civil Court vide Suit No. 116 of 2016 has also referred one matter.

2. The Petitioner and Respondent No.2 therefore have presented consent terms and seek leave to refer the controversy for

adjudication to common Arbitrator as mentioned in Clause 1 thereof.

3. Accordingly, in view of joint request accepting the consent terms, we permit the Petitioner to delete Respondent Nos. 1,3 and 4. The deletion is at the risk and cost of Petitioner and Respondent No.2.

4. After deletion, the controversy shall stand resolved in terms of Consent Term No.1.

5. With these directions, Writ Petition is disposed of.

(Sarang Kotwal, J.)

(B.P. Dharmadhikari, J.)