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

COMMERCIAL ARBITRATION PETITION (L) NO.1070 OF 2019

Khodadad Phirojsha Irani	...	Petitioner
V/s.		
Sheriar Phirojsha Irani and ors	...	Respondents

**WITH
COMMERCIAL ARBITRATION PETITION (L) NO.1071 OF 2019**

Phiroze Khodadad Irani	...	Petitioner
V/s.		
Lal Hoshang Irani and ors	...	Respondents

**WITH
COMMERCIAL ARBITRATION PETITION (L) NO.1072 OF 2019**

Khodadad Phirojsha Irani	...	Petitioner
V/s.		
Farokh Hoshang Irani and ors	...	Respondents

**WITH
COMMERCIAL ARBITRATION PETITION (L) NO.1073 OF 2019**

Mrs. Aban Khodadad Irani	...	Petitioner
V/s.		
Phirojsha Sheriar Irani and ors	...	Respondents

**WITH
COMMERCIAL ARBITRATION PETITION (L) NO.1074 OF 2019**

Khodadad Phirojsha Irani	...	Petitioner
V/s.		
Rukhshana Sheriar Irani and ors	...	Respondents

**WITH
COMMERCIAL ARBITRATION PETITION (L) NO.1075 OF 2019**

Khodadad Phirojsha Irani	...	Petitioner
V/s.		
Sheriar Phirojsha Irani and ors	...	Respondents

Mr. Zal Andhyarujina with Jehan Dastur, Rustom N. Mulla, Aditya Raut, Sohan Kinkhabwala i/by Desai Desai Carrimjee & Mulla, for the petitioners.

Mr. Mustafa Doctor a/w Mr. Jehangir Jejeebhoy a/w Mr. Justin Bharucha, Ms. Pooja Gera, i/by Bharucha and Partners, for respondent Nos. 1 to 3 and 5 to 7 in Commercial Arbitration Petition (L) No.1070 of 2019, for respondent Nos. 1 & 2 in Commercial Arbitration Petition (L) No.1071 of 2019 and 1072 of 2019, for respondent Nos. 1 to 5 in Commercial Arbitration Petition (L) No.1073 of 2019, for respondent Nos. 1 & 2 in Commercial Arbitration Petition (L) No.1074 of 2019 and for respondent Nos. 1 to 3 and 5 to 7 in Commercial Arbitration Petition (L) No.1075 of 2019,

CORAM : G. S. KULKARNI, J.

DATE : 24th September, 2019.

PC. :

1] By an order dated 18th September, 2019, considering the nature of the disputes, this Court by consent of the parties, had referred the parties to appear before a Panel of Mediators, so that an attempt can be made for an interim arrangement to be worked out. Awaiting the report of the mediation, these proceeding were adjourned for today.

2] Mr. Zal Andhyarujina and Mr. Mustafa Doctor, learned Counsels for

the parties inform that the proceedings before the mediation panel were quite encouraging and successful inasmuch as the parties have entered into a “Memorandum Recording Preliminary Family Arrangement” dated 23rd September, 2019. Preliminary Report of the Mediation Panel dated 23rd September, 2019 is also placed on record along with the Memorandum Recording Preliminary Family Arrangement. In the report, the panel of learned Mediators record that the parties have arrived at the said Memorandum recording Preliminary Family Arrangement. The Preliminary Report of the Mediation Panel and Memorandum Recording Preliminary Family Settlement are taken on record and marked as “X-1” and “X-2” for identification.

3] Having perused the terms and conditions of the Memorandum Recording Family Arrangement, it would now be in the interest of the parties to proceed further and take appropriate steps as agreed in the memorandum.

4] In my opinion, as there is substantial progress in the direction that the disputes are resolved, no useful purpose would be achieved in keeping these petitions pending. The parties have already agreed, that in case any issue arises, the parties would approach the Mediation Panel. This can be seen from clause No.8 of the Minutes of the Mediation Meeting dated 21st and 23rd September, 2019. Learned counsel for the parties are also agreeable

that the parties in that event would approach the Mediation Panel.

5] The report of learned Court Observer is also taken on record and if necessary copies of the same be provided to the parties if so applies.

6] The Court appreciates the efforts taken by the Mediation Panel in bringing about the interim arrangement between the parties in such short time, as also of the learned counsel for the parties, who have also taken substantial efforts to bring about the interim arrangement, in the peculiar facts. A word of appreciation for the parties cannot be left out, who also with open mind intended to reach an interim arrangement.

7] It needs to be noted that the Court has already fixed the fees of the learned Court Observer. If the parties so desire they are free to enhance the fees.

8] The parties have agreed not to disseminate any information in regard to the disputes to any third parties including media.

9] In above circumstances, the petitions are disposed of, however, with liberty to the parties to adopt appropriate proceedings if need so arises.

10] All contentions of the parties are expressly kept open.

11] No costs.

[G. S. KULKARNI, J]