

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

**CONTEMPT PETITION NO. 21 OF 2017
IN
ARBITRATION PETITION NO. 856 OF 2012**

Vinay D. Balse & Anr. ...Petitioners
vs
Yogendra N. Thakkar ...Respondent

**AND
CONTEMPT PETITION NO. 60 OF 2017
IN
ARBITRATION PETITION NO. 856 OF 2012**

Yogendra N. Thakkar ...Petitioner
vs
Vinay D. Balse & Anr. ...Respondents

Ms.Pooja Patil I/b. Kanga & Co. for Petitioners in Comp 21/2017 & for Respondents in Comp 60/2017.
Mr.Gaurav Mehta with Dhanashree Gaikawai I/b. Bilawala & Co. for Respondent in Comp 21/2017 & for Petitioner in Comp 60/2017.

CORAM : S.C.GUPTE, J.

DATE : 26 MARCH 2019

P.C. :

Learned Counsel for the Petitioner in Contempt Petition No.60/2017 tenders his rejoinder as well as his additional affidavit in the companion contempt petition filed by the Respondents. The same are taken on record.

2 These cross petitions are filed by the respective parties to the arbitration petition alleging breach or disobedience on the part of each other of a consent order passed by this court in the arbitration petition. The

arbitration petition sought certain interim protection concerning the conduct of business of a partnership firm of chartered accountants, which was purportedly dissolved and a reference was made for accounts. The consent order passed by this court *inter alia* required the parties to sign cheques for certain specified matters. The rival grievances of the parties in the present contempt petitions concern their alleged failures to sign certain cheques.

3 After the contempt petitions are heard at some length, it is agreed by learned Counsel for the Respondent to Contempt Petition No.21/2017, after taking instructions from his client, that he would sign the cheques referred to in para 13 of the petition within one week from today. Likewise, it is agreed by learned Counsel for the Petitioners, after seeking instructions from her clients, that her clients would sign the cheques of Rs.25,362/- issued by the Respondent, which is a matter of grievance in the companion contempt petition, namely, Contempt Petition No.60/2017, within a period of one week from today. The respective statements and undertakings of the parties are accepted and the contempt petitions are disposed of. Learned Counsel for the parties also agree and undertake to the court to fulfill the mandate of the consent order passed by this court on 6 May 2013 in both letter and spirit in future till the challenge seeking to the arbitration awards, including the award dated 12 February 2018, is considered by this court. The statements are accepted. The contempt petitions are disposed of.

(S.C. GUPTE, J.)