Arun

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

IN ITS COMMERCIAL DIVISION

COMM ARBITRATION PETITION NO. 1451 OF 2019

New Anand Cooperative Housing Society Ltd ...Petitioner

Versus

Atharav Homes & Ors ...Respondents

WITH

INTERIM APPLICATION NO. 1 OF 2020

IN

COMM ARBITRATION PETITION NO. 1451 OF 2019

Sadashiv A Mahajan ...Applicant/ Intervenor

In the matter between

New Anand Cooperative Housing Society Ltd ...Petitioner

Versus

Atharav Homes & Ors ...Respondents

Mr Swanand Ganoo, *i/b Rajesh Ravindran, for the Petitioner.*
Ms Priyanka V Pandit, *for the Applicant.*
Ms Shabana Sothe, *for Respondents Nos. 1 to 3.*
Mr Mohammed Qureshi, *i/b Qureshi & Associates, for Respondent No.4.*

CORAM: G.S. PATEL, J.
DATED: 4th February 2020

PC:-

INTERIM APPLICATION NO. 1 OF 2020 IN COMM ARBITRATION PETITION NO. 1451 OF 2019

1. After some arguments, Ms Pandit, the learned Advocate for the Applicant seeks to withdraw the Interim Application No.1 of 2020 in Commercial Arbitration Petition No. 1451 of 2019. Leave granted. She seeks liberty to adopt appropriate proceedings against the Respondent-Developer, Atharav Homes. Leave granted, with liberty as prayed.

2. I am making it clear that there has been no assessment on merits of the Interim Application. All contentions between the Applicants and Atharav Homes are specifically kept open. The withdrawal of this Interim Application will not in any way prejudice either the Applicant, Sadashiv A Mahajan and 39 other persons, nor Atharav Homes.

3. The Interim Application is disposed of accordingly.

COMM ARBITRATION PETITION NO. 1451 OF 2019

4. Ms Sothe, learned Advocate for Respondents Nos. 1 to 3 confirms that the correct address of Respondents Nos. 2 and 3 is as in the Interim Application that is, 903, Sai Taravani Apartments, Sector No. 6A, Kamothe, Navi Mumbai.

5. She states she does not know of the address of the 1st Respondent. So noted.

(G. S. PATEL, J)