

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.80 OF 2024

Amit Goyal

... Petitioner

V/s.

Sachin Agarwal & Anr.

... Respondents

Mr. Sanjiv A. Sawant a/w. Ms. Samiksha S. Mane i/by Heramb S. Kadam, Advocate for the Petitioner.
Adv. Mainak Adtikari i/b Adv. Sanjay Bhojwani, Advocate for the Respondents.

CORAM : RAJESH S. PATIL, J.

DATED : 19 JANUARY 2024

PC.:

1. This Writ Petition challenges is filed by the outgoing partner of a firm "Tirupati Hospitality" / Respondent No.2.
2. Mr. Sawant appearing for the Petitioner submits that the Licensor / Respondent No.1 is now trying to execute the decree by attaching the personal property of Petitioner / the outgoing partner.
3. Mr. Sawant also submits that there is issue in this matter as to whether the proceedings should be sent for arbitration.
4. Mr. Adtikari holding for advocate Mr. Bhojwani seeks a short accommodation.

5. Matter to come up on 1 February, 2024.
6. In the meantime, there will be ad interim relief in terms of prayer clause (c). The prayer clause (c) of the Petition read as under:

(c) Pending the hearing and final disposal of this Petition this Hon'ble Court be pleased to stay the execution, operation and implementation of the impugned order dated 29th November, 2023 passed by the 5th Additional Judge & Joint Civil Judge, Senior Division, Pune, below Exhibit 16 in Special Darkhast No.23 of 2023 in Civil Suit No.186 of 2019 and the impugned order dated 12th December, 2023 passed by the 5th Additional Judge & Joint Civil Judge, Senior Division, Pune, below Exhibit 10 in Special Darkhast No.23 of 2023 in Civil Suit No.186 of 2019;

(RAJESH S. PATIL, J.)