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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
Commercial Arbitration Petition NO. 238 OF 2024

Ashit Sharma

...Petitioner

Vs.

Kiyana Ventures LLP

...Respondent

Mr. Akshay Patil i/by Satendra Kumar for the Petitioner.

Mr. Dinesh Parmar i/by Suneet Tyagi for the Respondent.

CORAM : ARIF S. DOCTOR, J.

DATE : 12TH AUGUST, 2024

P.C.:-

1. Mr. Patil, Learned Counsel for the Petitioner submits that the dispute is between a flat purchaser and developer. The building in question is in fact complete. He submits that though the developer had promised certain compensation to the Petitioner, the same was subsequently unilaterally withheld by the developer.

2. Mr. Parmar, Learned Counsel for the Respondent submits that since the flat is now complete, the Petitioner could be put into possession of the same subject to terms and an Arbitrator could be appointed to decide the issue as to adjustment of the compensation towards the balance consideration.

3. This to my mind appears to be fair and reasonable approach to the matter.

4. Mr. Patil submitted that the Advocate on record instructing him is unavailable today on account of some personal difficulty. It was thus that he sought time.

5. Hence, stand over to 19th August, 2024.

6. Learned Counsel for the Respondent to take instructions and revert to the Court.

(ARIF S. DOCTOR, J.)