

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

ARBITRATION PETITION NO. 58 OF 2024

Mayank Anil Khandwala

...Petitioner

Versus

Bhairavi Co-operative Housing Society
Ltd. and Ors.

...Respondents

ALONGWITH
ARBITRATION PETITION (L) NO. 36324 OF 2022
ALONGWITH
ARBITRATION PETITION NO. 67 OF 2024

Mr. Piyush Raheja *a/w Mr. Manan Bhindora and Mr. Deep Thakkar
i/b Markand Gandhi & Co. for the Petitioner in ARBP/58/2024.*

Mr. Vishal Phal *i/b Mr. Kunal Damle for the Petitioner in
ARBPL/36324/2022.*

Mr. Tushar Gujjar *a/w Mr. Deepak Singh i/b S.L.Partners for
Respondent No.1 in ARBP/58/2024 and ARBP/67/2024.*

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : APRIL 7, 2025

PC :

1. An affidavit dated April 4, 2025 executed by one Mr. Mahesh R. Soni is taken on record. The said affidavit on behalf of the Petitioner confirms that Flat Nos.A-101, A-103, B-602 and B-502 (this flat has been wrongly numbered in the affidavit and Learned Counsel submits that it should be corrected as Flat No. B-502) will be handed over to MDH Development Corporation. It is also stated that there may be certain escalation and costs payable by the members towards completion of the project. Learned Counsel for MDH Development Corporation submits that should the costs attributed as been payable by the MDH Development

Corporation be proportionate and commensurate with the portion of the costs attributable to the other members then there will not be quarrel about the same. The costs be paid to MDH Development Corporation at the earliest so that this matter can be put to rest.

2. Learned Counsel for the purchaser of Flat No. A-101 and A-103 submits that the Consent Terms also be required that they be made the members of the society. Learned Counsel for the society confirms that these two persons shall be made members of the society. Learned Counsel for the society submits that all such activity shall be completed within a period of three weeks from today. In these circumstances, nothing survives in these proceedings.

3. All the Petitions stands disposed of.

4. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]