

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
CONTEMPT PETITION NO. 16 OF 2024
IN
COMM. ARBITRATION PETITION NO. 360 OF 2021

Beacon Trusteeship Ltd .. Petitioner
Versus

Exquisite Shelters Pvt. Ltd and 11 ors .. Respondent

WITH
INTERIM APPLICATION (L) 2977 OF 2022
IN
COMM. ARBITRATION PETITION NO. 360 OF 2021

Beacon Trusteeship Ltd .. Applicant
Versus

Exquisite Shelters Pvt. Ltd and 3 ors .. Respondent

WITH
COMM. ARBITRATION PETITION NO. 263 OF 2022

Earthcon Construction Pvt Ltd and 2 .. Petitioners
ors

Versus

Beacon Trusteeship Limited and 2 ors .. Respondents

Mr. Karl Tamboly a/w Mr. Ravichandra Hegde, Ms. Rhia Mehta and Ms. Rhea Kapoor i/b RHP Partners, for the Petitioner.

Mr. Aspi Chinoy, Sr Adv a/w Ms. Rutuja Patil and Mr. Yohaam Shahi/b Negandhi Shah and Himayatulla, for respondent no.2.

Mr. Rohaan Cama a/w Ms. Rujuta Patil and Mr. Yohaam Shah i/b Negandhi Shah and Himayatullah for respondent nos.6 and 11.

Mr. Zal Andhyarujina, Sr Adv, a/w Mr. Aditya Shivalkar, Ms. Revati Desai, Mr. Kanu Upadhyaya i/b Wadia Ghandy and Co.,

for respondent no. 12.

Mr. Darshan Naik a/w Ms. Reshma Shirke and Prabodh Sanade,
for respondent nos.1, 3 and 4.

CORAM: BHARATI DANGRE, J.

DATED : 6th NOVEMBER 2025

P.C:-

1. My attention is invited to the order dated 5/05/2021 passed in Commercial Arbitration Petition (L) No. 10819 of 2021, wherein the statement made on behalf of respondent no.1, Exquisite Shelters Pvt. Ltd., is recorded in the form of an undertaking. The order also records that in case of non-compliance with the said undertaking, the Section 9 petition will immediately stand restored to file, and the petitioners will be at liberty to apply for and obtain a priority listing for ad-interim reliefs thereafter.

2. Mr. Tamboly, pursuant thereto, has filed a Contempt Petition alleging disobedience of the order dated 5/05/2021. According to him, since the Section 9 petition also stands restored to its file, the same deserves to be heard, as his interests deserve to be protected.

3. Since the section 9 petition now stands revived, and the same is not listed before me today, it is directed to be listed on 20/11/2025.

(SMT. BHARATI DANGRE, J.)