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

ARBITRATION PETITION NO. 378 OF 2024

Kaveri Apartment Co-operative Housing Society Ltd ...Petitioner(s)

Versus

Triveni Developers ...Respondent(s)

WITH

CONTEMPT PETITION IN COMMERCIAL DIVISION MATTERS NO. 38 OF
2024

Kaveri Apartment Co-Operative Housing Society Ltd. ...Petitioner(s)

Versus

Triveni Developers And 2 Ors. ...Respondent(s)

Mr. Gauraj Shah a/w. *Maneesha Patel i/b Ankit Dhindale, for Petitioner.*

Respondents were represented through VC but appearance has not been submitted.

CORAM : SOMASEKHAR SUNDARESAN, J.

Date : May 5, 2025

P. C.

1. Advocate for the Respondents has entered appearance and has supplied the address of the Respondents and his promoters/partners, to enable completion of service of notice in the Contempt Petition on them. The address of Respondents handed over is as follows:

Room No. 102, Vedant Raj, Maitri Apartment, Yogi
Nagar, Borivali (W), Mumbai – 400 092.

2. Learned Advocate for the Respondents submits that this is the address of Respondents mentioned in the anticipatory bail applications in which he represents the Respondents and that he is being instructed by the spouses of the partners of the Respondent – Developer.

3. It appears that the Respondents are facing multiple criminal proceedings (said to be in civil disputes). However, it would be appropriate to note that with the aforesaid factual position, the scope for re-development as contracted, looks remote. In these circumstances, it may become necessary to consider grant of the prayers in the Section 9 Petition, namely, Arbitration Petition No. 378 of 2024.

4. It is made clear that on the next occasion, orders will be passed in the Section 9 Petition, should the Respondents not be represented and present explanation as to how they believe, they could still continue with the redevelopment.

5. Learned Counsel for the Petitioner submits that he will also take out an Application under Section 11 of the Arbitration and Conciliation Act, 1996

since the scope of jurisdiction under Section 9 essentially pertain to the subject matter of arbitration.

6. In these circumstances, issue notice in the Section 9 Petition as well as the Contempt Petition to the Respondents at the address handed in by the Learned Advocates for the Respondents today. List on ***June 16, 2025***.

7. 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.]