

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

**COMMERCIAL APPEAL NO. 53 OF 2024
IN
COMM. ARBITRATION PETITION (L) NO. 30695 OF 2022
WITH
INTERIM APPLICATION (L) NO. 31438 OF 2023
IN
COMMERCIAL APPEAL NO. 53 OF 2024**

Ssakash Developers and Builders Pvt. Ltd.

... Appellant

V/s.

Om Jagdish Co-operative Housing
Society Ltd. and Ors.

... Respondents

Mr. Akshay Pawar i/b. Kunal Bhanage for the Appellant
Mr. Shreepad Murthy i/b. Abhishek Patil for Respondent No.1

**CORAM : ALOK ARADHE, CJ. AND
M.S. KARNIK, J.**

DATE : 17th MARCH 2025

P.C. :

1. This Appeal under Section 37 of the Arbitration and Conciliation Act, 1996 has been filed against an order dated 6th October 2023 by which an application preferred by the Respondent under Section 9 of the Arbitration and Conciliation Act, 1996 has been allowed.

2. The challenge to the aforesaid order is made, *inter-alia*, on the ground that there is no arbitration agreement between the parties and the deed of assignment and the supplementary agreement are unregistered.

3. The learned Counsel for the Appellant prays for an adjournment on the ground that arguing Counsel is not available.

4. List after two weeks.

(M.S. KARNIK, J.)

(CHIEF JUSTICE)