

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION NO. 560 OF 2024
WITH
INTERIM APPLICATION (L) NO. 7697 OF 2025
IN
ARBITRATION PETITION NO. 560 OF 2024
WITH
COURT RECEIVER REPORT NO. 126 OF 2025
IN
ARBITRATION PETITION NO. 560 OF 2024
WITH
ARBITRATION APPLICATION (L) NO. 3293 OF 2025

Tulsidas Khimji Warehousing Private Limited ...Petitioner

Versus

Vrutik Bhatt ...Respondent

Mr. M.M. Vashi, Senior Advocate *a/w Jaineel Vashi i/b M.P. Vashi & Associates for the Petitioner.*

Mr. Umesh Sharma, a/w Dikshant P. Dudhane, i/b Foram Nikhil Chauhan, for Intervenor.

Mr. Umesh Sharma (through VC), for Respondent.

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : JUNE 16, 2025

ORDER :

1. Interim Application (L) No.7697 of 2025 has been filed by a person claiming to be in possession of Godown No.2 contending that the goods lying therein belong to him and owing to the protective order

passed by this Court on January 21, 2025, his goods which were stored in the said godown stand attached. He submits that he is a transporter and that he must be permitted to take his goods out.

2. When asked to point out the basis on which he claims to be in possession, Learned Counsel on behalf of the Applicant points to some letter written by the Port Trust to one Mrs. Nemabai Millawala and others, which indicates that he is in possession. Learned Counsel for the Applicant is unable to confirm who Mrs. Nemabai Millawala is and what is the legal basis on which he is in possession, apart from the letter referred to.

3. Be that as it may, Learned Senior Counsel on behalf of the Petitioner submits that the Petitioner is only interested in the godown and has no interest in the goods that stand attached, and he has no objection to the goods being removed by the Applicant. This suggestion is accepted, and without prejudice to the rights and contentions of the parties, the Applicant is permitted to remove his goods no later than June 30, 2025.

4. Stand over to ***July 7, 2025.***

5. 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.]