

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

COMM. ARBITRATION PETITION NO. 150 OF 2025

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Mohammed Eqbal Patel
through C.A. Mr. Ayub Suleman Naik ...Petitioner(s)

Versus

Tejal Minerals and Grinders Pvt. Ltd.
& Ors. ...Respondent(s)

Mr. Bishwajeet Mukherjee *a/w. Ms. Humera Syed, for Petitioner(s).*

None for Respondent(s).

CORAM : SOMASEKHAR SUNDARESAN, J.

Date : April 1, 2025

P. C.

1. This is a Petition under Section 9 of the Arbitration and Conciliation Act, 1996.

2. As a last chance to enable the Respondents to present its say, stand over to ***April 15, 2025.***

3. The Petitioner seeks to restrain the Respondents from creating any third party rights in respect of Unit bearing No. 702 on the 7th floor of the Project constructed under the name and style of "Hicons Corporate Lounge" standing on land being Plot No. 497 admeasuring 781. 47 square meters bearing C.T.S. No. F- 131, TPS No. 3 Bandra situated at 24th Road, Khar

(West), Mumbai - 400 052 [as referred to in prayer clause (a) of the Petition].

As regards, injunction, *ad-interim* relief in terms of prayer clauses (a) and (b) of the Petition shall follow, which read as under :

- (a) Pending the hearing and final disposal of the arbitral proceedings and passing of arbitral award, this Hon'ble Court be pleased to pass an interim order of temporary injunction restraining the Respondents from creating any third-party rights in respect of the Unit bearing no. 702 on the 7th floor of the Project constructed under the name and style of "Hicons Corporate Lounge" standing on land being Plot No. 497 admeasuring 781.47 square meters bearing C.T.S. No. F- 131, TPS No. 3 Bandra situated at 24th Road, Khar (West), Mumbai - 400 052;
- (b) Pending the hearing and final disposal of the arbitral proceedings and passing of arbitral award, this Hon'ble Court be pleased to pass an interim order of temporary injunction restraining the Respondents from creating any third-party_rights in respect of the land being Plot No. 497 admeasuring 781.47 square meters bearing C.T.S. No. F-131, TPS No. 3 Bandra situated at 24th Road, Khar (West), Mumbai - 400 052;

4. List for further consideration on ***April 22, 2025.***

5. It is made clear that should the Respondents be desirable of varying, altering or vacating the ad-interim relief granted hereby, the Respondents may appear before the Arbitral Tribunal, and present its say.
6. A copy of this order shall be served by the advocates for the Petitioner on the Respondents.
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.]