

Commercial Suit no.04/2026

IN THE HON'BLE COMMERCIAL COURT AT KOLHAPUR

Tulsi Developers

....Plaintiff

Vs

Exh.11/D

SNAP Realty

.....Defendants

Order

O.S. to Say.

APPLICATION U/S 8 OF
ARBITRATION AND
CONCILIATION ACT
1996

D.J.2

22/7/2026

HEREIN THE APPLICATION ON BEHALF OF DEFENDANTS:

1. The present suit is brought by the plaintiff, subject matter of which is covered an arbitration agreement between the plaintiff and the defendants.
2. The present suit of the plaintiff is based on a notarized development agreement dtd 22.09.2017 and registered development agreement registered with the office of the Sub-Registrar Karveer dtd. 05.01.2018 registered at sr no. 108/2018.
3. In both the said agreements there is an arbitration clause which is quoted below for ready reference:

“सदर कराराच्या अनुषंगाने निर्माण होणारे कोणतेही वाद प्रथम आपसतीने सोडविणेचे आहेत व अशाप्रकारे वाद संपुष्टात न आलेस लवाद कायद्यानुसार लवाद ने सदरचा वाद संपुष्टात आणणेचा आहे.”

4. The said clause clearly provides that any dispute arising between the parties in connection with the said agreements are to be resolved by arbitration as per Arbitration Law.

5. The defendants have not submitted their first statement on the substance of the dispute and are giving this application at the first instance
6. The plaintiff has produced the original copy of the notarized development agreement dtd 22.09.2017 and certified copy registered development agreement of dtd 05.01.2018.
7. It is therefore prayed that this Hon'ble Court may kindly be pleased to refer the parties to this suit to arbitration as per the arbitration clause mentioned above.

Kolhapur

Date 22/07/2026

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1) H. B. Shah

2) H. B. Shah

3) H. B. Shah

4) H. B. Shah