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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
IN ITS COMMERCIAL DIVISION
COMM APPEAL FROM ORDER NO.3 OF 2026

IN

COMM SUIT NO.2 OF 2021

Sunil Hardasmal Tharwani & Ors.

Appellants / Ori.
Defendant Nos.1
to 3

Versus

Anil Hardasmal Tharwani & Ors.

...Respondents

ALONGWITH

COMM APPEAL FROM ORDER NO.4 OF 2026

Mr. Prakash D. Deshmukh & Ors.

...Appellants

Versus

Anil Hardasmal Tharwani & Ors.

...Respondents

ALONGWITH

COMM APPEAL FROM ORDER NO.2 OF 2023

Sunil Hardasmal Tharwani & Ors.

...Appellants

Versus

Hardasmal Hazarimal Tharwani
(Since deceased thru his legal representatives)
& Ors.

...Respondents

ALONGWITH

COMM APPEAL FROM ORDER NO.3 OF 2023

Rameshlal Sukhmal Raghuvanshi & Ors.

...Appellants

Versus

Hardasmal Hazarimal Tharwani
(Since deceased thru his legal representatives)
& Ors.

...Respondents



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Mr. Mutahar Khan, i/b. Asif Shaikh for the Appellants and also Appellants in AO No.4 of 2026.

Mr. Dinyar Madon, Senior Counsel, Mr. Ziyad Madan, Mr. Sujit Lahoti, Ms. Tejasvi Nakashe, Aditya Sheth and Kedar Nayak i/b. Sujit Lahoti and Associates for Respondent Nos.1, 3 and 4.

Mr. Sunil Gangan, Mr. Swapnil Shikhare and Manav Chetwani for Respondent No.2 in COMAO No.3 of 2026 and Respondent No.3 in COMAO No.3 of 2023.

Tafseer Sayed, for Respondent Nos.6 to 12 and for Respondent Nos.4, 9, 10 to 12, 18 and 22.

Mr. Lokesh Zade, for Respondent Nos.4, 8, 5(i) (ii).

Mr. Sharan Jagtiani, Senior Advocate i/b. Mr. Lokesh Zade for Respondent Nos.5 to 7.

Mr. Mohan Tharwani, Respondent No.2 present in Court.

Mr. Sunil Tharwani, and Mrs. Anisha Sunil Tharwani are present in Court.

Mr. Anil Tharwani, present in Court.

Mr. Sharan Jagtiani, Senior Advocate, Mr. Rohit Bandekar, Mr. Pushpvijay Kanoji and Ms. Janhavi Vora and Ms. Sankalpita Mullick i/b. Mr. Pushpvijay Kanoji and Ms. Jahnavi Vora for the Appellant.

Mr. Rubin Vakil with Mr. Sonil Gangan and Mr. Manav Chetwani i/b. RMG Law Associates for Respondent No.2 in Comao No.3 of 2026.

**CORAM : R.I. CHAGLA AND
ADVAIT M. SETHNA, JJ.**
DATE : 27TH APRIL, 2026.

ORDER :

1. The parties have agreed to refer their disputes to an Arbitrator and have tendered Minutes of Order dated 27th April, 2026 which has been signed by the respective Appellants and



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Respondents in the above Commercial Appeal from Orders as well as by their Advocates on record and is taken on record and marked 'X' for identification. This order is passed in terms of Minutes of Order marked 'X'.

2. In view thereof, the Commercial Appeal from Order No.3 of 2026, Commercial Appeal from Order No.4 of 2026, Commercial Appeal from Order No.2 of 2026 and Commercial Appeal from Order No.3 of 2023 are disposed of in terms of Minutes of Order marked 'X'.

3. The Interim Applications, if any, do not survive and are also disposed of.

4. There shall be no order as to costs.

5. Refund of Court Fees in accordance with Rules.

[ADVAIT M. SETHNA, J.]

[R.I. CHAGLA J.]