

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION (L) NO. 3924 OF 2025
IN
COMMERCIAL ARBITRATION PETITION NO. 136 OF 2022**

Shri Saroj Sadan Co Operative Housing Society Ltd ...Applicant

Versus

Vini Developers & Anr ...Respondents

**WITH
INTERIM APPLICATION (L) NO. 28894 OF 2025
IN
COMMERCIAL ARBITRATION PETITION NO. 136 OF 2022**

Appearance not received for the Applicant.

**Mr. Karl F. Tamboly, a/w Prakhar Tondon, i/b Gaurav Pratankar,
for Respondent No.1.**

**CORAM : SOMASEKHAR SUNDARESAN, J.
DATE : SEPTEMBER 19, 2025**

ORDER :

1. An affidavit dated September 18, 2025 filed by one Mr. Pritesh Savla is taken on record. In paragraph 2 of the said affidavit, it is stated that the total amount payable by Mr. Pritesh Savla and his firm is to the extent of Rs.2,77,47,354/-. Mr. Savla has also undertaken that he would pay a sum of Rs.30 lakhs on or before October 10, 2025. On that basis, it is his submission that alienation of Flat No.803 may be

considered and the proceeds of the same may be appropriated directly by the members of the Society.

2. Having heard the parties briefly, it would be appropriate to permit the Respondent-Society to file an affidavit dealing with the computation presented in paragraph 2 of the said affidavit. The same shall be filed before the next date of hearing.

3. That apart, it would be important to ensure that the amount of Rs.30 lakhs committed to be paid on October 10, 2025 is indeed paid. Let such amount be deposited by way of a Demand Draft with the Society before the close of business hours on October 10, 2025. Subject to such payment being made, a proposal to effect any alteration or alienation of flat No. 803 may be considered on the next date.

4. Stand over to ***October 14, 2025*** on the ***Supplementary Board***.

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.**]