

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION (L) NO.34839 OF 2024

Samir N. Bhojwani ...Applicant

Versus

Zodiac Developers Private Limited ...Respondent

**WITH
COMMERCIAL ARBITRATION PETITION NO.58 OF 2022
WITH
INTERIM APPLICATION (L) NO.6080 OF 2021
IN
COMMERCIAL ARBITRATION PETITION NO.58 OF 2022
WITH
INTERIM APPLICATION (L) NO.4422 OF 2021
IN
COMMERCIAL ARBITRATION PETITION NO.58 OF 2022
WITH
INTERIM APPLICATION (L) NO.6080 OF 2021
IN
COMMERCIAL ARBITRATION PETITION NO.58 OF 2022
WITH
INTERIM APPLICATION (L) NO.36365 OF 2024
WITH
INTERIM APPLICATION (L) NO.36345 OF 2024
WITH
INTERIM APPLICATION (L) NO.36333 OF 2024
WITH
INTERIM APPLICATION (L) NO.36324 OF 2024
WITH
INTERIM APPLICATION (L) NO.36296 OF 2024
WITH
INTERIM APPLICATION (L) NO.35661 OF 2024
WITH
INTERIM APPLICATION (L) NO.34186 OF 2024
WITH
INTERIM APPLICATION (L) NO.34839 OF 2024
WITH
INTERIM APPLICATION (L) NO.36017 OF 2024**

Mr. Karl Tamboly a/w. *Mr. Parimal Shroff, Mr. D.V. Deokar, Mr. D. Parikh i/b. Parimal K. Shroff & Co., Advocate for IAL/34839 & 34186/2024 in IAL/6080/2021 in CARBP/58/2022.*

Mr. Simil Purohit a/w. *Peshwan Jehangir, C Nageshwaran & Ishrita Bagchi i/b. Khaitan & Co., Advocate for Original Petitioner.*

Mr. Parimal Shroff, Mr. D.V. Deokar & Mr. D. Parikh i/b. Parimal K. Shroff & Co., Advocate for Applicant in IAL/35661, 36017, 36246, 36324, 36333, 36345 & 36365/2024, 34839, 34186, IAL/6080/2021 & CARBP/68/2022.

Mr. Amit Sampat a/w. *Pradeep Purohit i/b. P.D. Jain & Co., Advocate for Additional Respondent No.2 (Meghraj Sohanlal Jain) in IAL/35661/2024, IAL/6080/2021 & CARBP/58/2022.*

Mr. Pranesh Gada, *Advocate for Additional Respondent No.2 in IAL/36365/2024, 36017/2024, 36345/2024, 34186/2024 & 34839/2024.*

Mr. Abhishek Samant a/w. *Paresh Chandiramani, Advocate for Respondent No.5.*

CORAM: SOMASEKHAR SUNDARESAN, J.

DATE : JANUARY 31, 2025

PC :

1. This is a batch of Interim Applications pertaining to a Petition under Section 34 of the Arbitration and Conciliation Act, 1996 (*“the Act”*).
2. Having heard the Learned Counsel to get a detailed overview of the matter, it is evident that the matter needs to be heard finally.

3. Based on the nature of the issues involved and bearing in mind the scope of the jurisdiction under Section 34 of the Act, Learned Counsel for the Petitioner agrees that he shall not take more than **90 minutes** to canvass his case and the Respondents shall take no longer than **45 minutes** for verbal arguments in the matter.

4. Towards this end, the parties shall file a short Note on Submissions, not exceeding five pages, along with page numbers and case law references, focusing on the scope of Section 34 of the Act, and setting out the manner in which the points canvassed by them ought to be accepted by this Court.

5. It is made clear that the time commitments made above shall bind the parties, and such time shall be utilized at the discretion of the Counsel for verbalizing the pivotal submissions, resting assured that the rest of the contentions from their Note on Submissions, would be dealt with by the Court.

6. The Reply filed by the Respondents are taken on record. The Petitioner shall file a composite Rejoinder dealing with all reply affidavits in one document and same shall be filed no later than two weeks from today.

7. None of the Interim Applications are disposed of and they shall be listed on the next date. However, it would be the Section 34 Petition that shall be taken up for final hearing on the next date.

8. All the parties in this proceedings shall submit a statement of cost incurred till date as there are Commercial Arbitration proceedings for consideration by the Court on the next date. It is made clear, that the matter would be finally disposed of on the next date.

9. With the aforesaid commitments, stand over to ***March 17, 2025*** under the caption ***“Final Hearing-Section 34”***.

10. 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.]