

Arun

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION NO. 1569 OF 2021

IN

SUIT NO. 127 OF 2021

Jogeshwari Friends CHS Ltd ...Applicant

IN THE MATTER BETWEEN

Jogeshwari Friends CHS Ltd ...Plaintiff

Versus

Nisar Properties Pvt Ltd & Ors ...Defendants

IN ITS COMMERCIAL DIVISION

COMMERCIAL SUIT NO. 633 OF 2019

WITH

NOTICE OF MOTION NO. 1801 OF 2019

IN

COMMERCIAL SUIT NO. 633 OF 2019

WITH

NOTICE OF MOTION NO. 1154 OF 2019

IN

COMMERCIAL SUIT NO. 633 OF 2019

WITH

INTERIM APPLICATION NO. 28 OF 2021

IN
COMMERCIAL SUIT NO. 633 OF 2019
WITH
NOTICE OF MOTION NO. 2460 OF 2019
IN
COMMERCIAL SUIT NO. 633 OF 2019

Nisar Properties Pvt Ltd ...Plaintiff
Versus
Jogeshwari Friends Cooperative Housing Soc Ltd & ...Defendants
Ors

Mr Aseem Naphade, with *Ajay Panicker, i/b Ajay Law Associates*, for the Applicant/Plaintiff in S/127/2021 and for Defendant No.1 in COMS/633/2019.

Mr Vyom Shah, with *Dipti Das, Sunil Vyas, Shanvi Punamiya & Rishika Jain, i/b Fox Mandal & Associates LLP*, for the Plaintiffs in COMS/633/2019 and for Defendant No.1 in S/127/2021.

Mr Gajanan Giri, with *Vaishali Ugale*, for the MCGM..

CORAM: ARIF S. DOCTOR, J
DATED: 28th August 2024

PC:-

1. When the matter was called out, Mr Naphade, Learned Counsel appearing on behalf of Plaintiff in Suit No. 127 of 2021 and for the

Defendant No.1 in Commercial Suit No. 633 of 2019, points out that, these are two cross Suits filed by a Cooperative Housing Society and the Developer.

2. Mr Naphade, Learned Counsel points out that there are various Applications in these Suit including a Notice of Motion No. 1801 of 2019 which was filed under Section 8 of the Arbitration and Conciliation Act 1996, in Commercial Suit No. 633 of 2019.

3. Both Learned Counsels submit that it would be prudent that this Notice of Motion be heard and disposed of first.

4. List the Notice of Motion No. 1801 of 2021 in Commercial Suit No. 633 of 2019 for hearing on 4th October 2024 at 2.30 pm.

5. It is made clear that Interim Application No. 1569 of 2021, Notice of Motion No. 1154 of 2019 and Interim Application No. 28 of 2021 shall also be listed on the said date and taken up for hearing.

(ARIF S. DOCTOR, J)