

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
INTERIM APPLICATION (L) NO. 21272 OF 2022
IN
COMMERCIAL SUTT NO. 25 OF 2024
WITH

INTERIM APPLICATION (L) NO. 21280 OF 2022
IN
COMMERCIAL SUTT NO. 27 OF 2024
WITH

INTERIM APPLICATION (L) NO. 21282 OF 2022
IN

COMMERCIAL SUTT (L) NO. 21277 OF 2024

SHEPHALI
SANJAY
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SHEPHALI SANJAY
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Date: 2024.07.04
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Mohammed Nazim Ibrahim Shaikh & Ors ...Applicants

IN THE MATTER BETWEEN

Mohammed Nazim Ibrahim Shaikh & Ors ...Plaintiffs

Versus

Ali Haji Kasam & Co, through its sole proprietor & ...Defendants
Ors

Mr Shakeeb Shaikh, with Aaftab Diamondwala Noorain Patel, i/b
Diamondwala & Co, for the Applicants/Plaintiff in all matters.
Mr Rishikesh Soni, with Aamir Koradia, i/b Rajendra Rathod, for
Defendant No. 1.

CORAM: ARIF S. DOCTOR, J

DATED: 3rd July 2024

PC:-

1. Today, Learned Counsel appearing on behalf of Defendant No. 1 seeks leave to file a copy of the Reply in the Registry. He may do so. I am informed that the Affidavit in Rejoinder is already filed on record.

2. After hearing the Learned Counsel at some length, it appears that the disputes and differences pertains to an area to be allowed to the Plaintiffs in the redeveloped building. Today, there is no dispute that the area which the Plaintiffs claim to be entitled is an area of 4,800 sq.ft. Defendant No. 1 does not disputes the Plaintiffs' entitlement to this area but it is only where it is located.

3. On a query from the Court to the Learned Counsel for both sides whether their clients are ready and willing to resolve their disputes and differences by way of a mediation, they submitted that their clients are willing to do so since the question is only about the transit rent.

4. In view of this, the Court requested Mr Gauraj Shah, an Advocate of this Court, who is present in Court that if he would be agreeable to act as a Mediator in the present case to resolve the disputes and differences between the parties. He expressed his willingness to do so. Neither party had any objection to this.

5. Hence, I appoint Mr Gauraj Shah, Advocate of this Court as a Mediator in this matter. The details are as follows.

Mediator **Mr Gauraj Shah, Advocate.**

Address 410, Gundecha Chambers,
NM Road, Fort,
Mumbai 400 001

Mobile 9820920330

Email gaurajs@gmail.com

6. The Learned Counsel for the parties shall jointly approach Mr Shah to fix a schedule for mediation. It is made clear that the costs of the mediation, including the fees of the Mediator shall be borne by both parties.

7. Statement made earlier to continue until the next date.

8. List the matter on 24th July 2024.

(ARIF S. DOCTOR, J)