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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CONTEMPT PETITION NO. 77 OF 2019

IN

NOTICE OF MOTION NO. 1763 OF 2018

Midas Developers Pvt. Ltd. & Anr.

...Petitioner

Vs.

Build Tech Associate & Ors.

...Respondents

WITH

COMMERCIAL SUIT NO. 189 OF 2017

WITH

INTERIM APPLICATION (L) NO. 31945 OF 2023

WITH

COUNTER CLAIM NO. 32 OF 2017

WITH

NOTICE OF MOTION (L) NO. 875 OF 2019

WITH

CHAMBER SUMMONS NO. 1008 OF 2019

WITH

INTERIM APPLICATION (L) NO. 26099 OF 2023

Mr. Chirag Modi a/w Aksha Hudda i/by Hudda Associates for Plaintiff.

Mr. Nitin Thakker, Senior Advocate a/w Pratima Soundalkar, Ameet Mehta, Jill
Rathod and Shlok Luthara i/by Solicis Lex for Respondent Nos.1 to 3.

Ms. V. S. Jagdale for the Applicant in IA(L)/31945/2023.

CORAM : ARIF S. DOCTOR, J.

DATE : 30th JULY, 2024



P.C.:-

1. After hearing the parties at some length, the Court put to both Learned Counsel if their clients are willing to attempt to resolve their disputes and differences by way of mediation. Both Counsel very fairly on instructions from their clients submitted that they would be willing to do so.

2. Mr. Thakker, Learned Senior Counsel suggested the name of Mr. Ankit Lohia, Counsel practicing in this Court to act as a mediator to mediate upon the disputes and differences that have arisen between the parties in respect of the present Commercial Suit No.189 of 2017 and the Counter Claim filed therein.

3. I appoint Mr. Ankit Lohia to act as a mediator in respect of disputes and differences between the parties. Learned mediator is requested to conclude mediation proceedings within a period of four weeks from today and submit a report to this Court. The necessary costs, charges and expenses of the mediator shall be borne equally by the parties. On a copy of this order being uploaded, Advocates to approach the mediator and fix a schedule for mediation.

4. Mr. Thakker, Learned Senior Counsel very fairly submits that till the next date, no right, title and interest shall be created in respect of 6 premises mentioned more particularly in paragraph No.21 of the Affidavit-in-Reply dated 19th July, 2024 to the Interim Application.



5. Ms. Jagdale appears today and submits that she has filed Interim Application (L) No.31945 of 2023. A copy of the same has not been served upon the parties. She undertakes to serve the same upon all concerns.

6. Stand over to 27th August, 2024.

(ARIF S. DOCTOR, J.)