



legha

4_ial_23514_2025.docx

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION (L) NO.23514 OF 2025
IN
COMMERCIAL SUIT (L) NO.23360 OF 2025

Capri Global Capital Limited

...Applicant/Plaintiff

V/s.

M/s. Divya Enterprise and Ors.

...Defendants

WITH
INTERIM APPLICATION (L) NO.25700 OF 2025
(NOT ON BOARD)
IN
COMMERCIAL SUIT (L) NO.23360 OF 2025

M/s. Divya Enterprise and Ors.

...Applicants

In the matter between

Capri Global Capital Limited

...Plaintiff

V/s.

M/s. Divya Enterprise and Ors.

...Defendants

Mr. Nausher Kohli with Ms. Shikha Ginodia, Mr. Gaurav Suryawanshi and Ms. Simran K. i/b. M/s. ANM Global for the Plaintiff.

Ms. Savina Nangare with Mr. Vinod Nagula and Ms. Disha Shah i/b. M/s. Law Focus for Defendant Nos.1 to 4 and for the Applicant in IAL/25700/2025.

Mr. Shanay Shah with Ms. Kausar Banatwala, Ms. Riya Thakkar and Mr. Rajesh Shah i/b. Mr. Tushar Goradia for Defendant No.5.

CORAM: SANDEEP V. MARNE, J.

Dated: 12 SEPTEMBER 2025.

P.C.:

- 1) The learned counsel appearing for Defendant Nos.1 to 4 submits that Defendant Nos.1 to 4 have filed an application under Section 8 of the Arbitration and Conciliation Act, 1996 (**the Act**).
- 2) Mr. Kohli, the learned counsel appearing for the Plaintiff seeks and is granted time of two weeks to file affidavit-in-reply to the application filed under Section 8 of the Act. He would however express an apprehension that till application under Section 8 of Act is heard, Defendant Nos.1 to 4 are likely to create complications in the Suit by selling further units in the building.
- 3) To this, the learned counsel appearing for Defendant Nos.1 to 4 has clarified that there is no possibility of her clients selling any further units in the concerned building before the next date of hearing. In that view of the matter list alongwith Interim Application (L) No.25700 of 2025 on **30 September 2025**.

[SANDEEP V. MARNE, J.]