



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION

COMMERCIAL ARBITRATION PETITION NO. 559 OF 2017

Mulund Raviraj Co-operative Housing Society Ltd. ... Petitioner

Versus

Rupji Constructions and another ... Respondents

WITH

CHAMBER SUMMONS NO. 217 OF 2018

NOTICE OF MOTION NO. 688 OF 2018

CHAMBER SUMMONS NO. 234 OF 2019

CHAMBER SUMMONS NO. 45 OF 2019

CHAMBER SUMMONS NO. 350 OF 2019

CHAMBER SUMMONS (L) NO. 313 OF 2018

Mr. Amit S. Potnis for Respondent No. 1.

Ms. Armin Wandrewala instructed by VBA Legal for Grauer & Weil (India) Ltd.-
Intervener.

CORAM : S.J. KATHAWALLA, J.

DATED : 7th AUGUST, 2019

(In Chambers)

P.C.:

1. Not on board. Upon mentioning, taken on board.
2. This application is for speaking to the minutes of the order dated 1st August, 2019.
3. In the appearances of the said order, the following appearance shall be added :-

*“Ms. Armin Wandrewala instructed by VBA Legal for Grauer & Weil (India)
Ltd.-Intervener.”*



4. Paragraphs 2 and 3 of the said order shall now read as under :-

“2. *Paragraph 3 of the Order dated 20th June, 2019 reads as under :-*

“3. As far as the Mahul property is concerned, Mr. Rupji states that he agreed with Grauer & Weil through its CEO to extend the lease for a period of 99 years from 1st April, 2016 on yearly rent of Rs.2,28,000/- with a clause to increase the lease rent by 15% every five years.”

3. Mr. Rupji and Grauer & Weil are at liberty to execute a Lease Deed extending the licence for a period of 99 years qua their 50% share in Mahul Property on yearly rent of Rs.2,28,000/- with a clause to increase the rate of compensation by 15% every five years. The amount payable to Mr. Rupji by Grauer and Weil shall be deposited with the Prothonotary and Senior Master. Mr. Chetan Rupji and Grauer & Weil (India) Ltd. are also at liberty to execute an Agreement qua the 50% share of Chetan Rupji in the Mahul property on the terms and conditions agreed by and between Mr. Chetan Rupji and Grauer and Weil.”

5. The application for speaking to the minutes of order dated 1st August, 2019 is accordingly disposed off.

(S.J. KATHAWALLA, J.)