



**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 CHSL. ... Petitioner

Versus

Rupji Constructions and Anr. ... Respondents

**ALONG WITH
CHAMBER SUMMONS NO. 217 OF 2018
WITH
NOTICE OF MOTION NO. 688 OF 2018
WITH
CHAMBER SUMMONS NO. 763 OF 2019
WITH
CHAMBER SUMMON NO. 234 OF 2019
WITH
CHAMBER SUMMONS NO. 45 OF 2019
WITH
NOTICE OF MOTION NO. 350 OF 2019**

IN

COMMERCIAL ARBITRATION PETITION NO. 559 OF 2017

Mr.Anushk Sabnis for the Petitioner.
Mr.A.S.Potnis for Respondent No. 1.
Ms.A.Wandrewala i/b. VBA Legal for Intervenor.
Mr.Sandeep Bane for the Applicant in CHSCD No. 763 of 2019.
Mr.D.S.Shingade for MCGM.
Mr.Mangesh Deshmukh, Advocate, present in person.
Mr.L.S.Ahire, Executive Engineer (BP) ES-II, present in person.
Mr.J.C.Dusane, AE (BP) S & T, present in person.
Mr.C.C.Jagge, AE (BP) present in person.
Mr.S.B.Beldar, AE (Imp.)-1, MCGM, present in person.



Mr.S.H.Kharat, SE (Estate), MCGM, present in person.
Mr.Madhukar Rupji a/w. Mr. Tejal Rupji, produced from prison.

CORAM : S.J. KATHAWALLA, J.
DATED : 18TH SEPTEMBER, 2019
(IN CHAMBERS)

P.C.:

1. The Executive Engineer (Building Proposal) City - III is today tendered a letter dated 18th September, 2019 addressed to Mr.Madhukar M. Rupji setting out the pending conditions required to be satisfied before the full OC qua the sale wings A and B is processed on merits.
2. A copy of the said letter dated 18th September, 2019 is handed over to Mr.Mangesh Deshmukh, Advocate, who is attending the matters on behalf of Mr.Madhukar Rupji and Mr.Tejal Rupji before the Consumer Forum and the Municipal Corporation.
3. Since Mr.Tejal Rupji has informed Advocate Deshmukh as well as this Court that all the conditions shown in the letter dated 18th September, 2019 have already been complied with, Advocate Mangesh Deshmukh shall after taking instructions from Mr.Madhukar Rupji and Mr.Tejal Rupji, appear before Mr.Jagge, AE (BP) of the Corporation and convey his instructions. Advocate Managesh Deshmukh shall also endeavour to comply with the directions recorded in the order dated 4th September, 2019.
4. The Superintendent of Prison, Taloja Prison, is directed to produce



Mr.Madhukar Rupji and Mr.Tejal Madhukar Rupji before this Court on 11th October, 2019 at 05.30 p.m. in Chambers. The Superintendent of Prison, Taloja, shall ensure that Mr.Madhukar Rupji and Mr.Tejal Madhukar Rupji along with escort shall leave Taloja Prison on 11th October, 2019 by 12.00 noon so that no delay is caused in bringing them to this Court by 05.30 p.m.

5. Stand over to 11th October, 2019 at 5.30 p.m. in Chambers.

(S.J.KATHAWALLA, J.)