



**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

Versuis

Rupji Constructions and another ... Respondents

Mr. Anushk Sabnis for the Petitioner.

Mr. Amit Potnis for the Respondent No.1.

Ms. Hetal Patel for the Applicant in Chamber Summons (L) No.1082 of 2018.

Mr. Dormaan J. Dalal for the interveners.

Appearance of Advocate for Mr. Tamhane not provided.

Mr. R.Y.Sirsikar for MCGM.

CORAM : S.J. KATHAWALLA, J.

DATED : 21st AUGUST, 2018

P.C.:

Advocate appearing for Mr. Tamhane states that he is withdrawing the offer to purchase the flat at Matunga and the further amount of Rs.10 Lakhs deposited by him may be forfeited. The amount of Rs.10 Lakhs is accordingly forfeited. From the said amount of Rs.10 Lakhs which is forfeited, an amount of Rs.9 Lakhs shall be paid to the Society for being disbursed to its members in lieu of compensation payable to its members towards temporary alternate accommodation for the month of August 2018. All concerned to act on an ordinary copy of this order duly authenticated by the Associate of this Court. The Commissioner shall conduct auction of the cars on 28th August, 2018 and submit his report to this Court on 30th August, 2018. The



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representatives of the parties shall be at liberty to remain present before the Commissioner, when the auction is conducted.

(S.J.KATHAWALLA, J.)