

**Subject: Arbitration Between Chandrankant Gogri & Others And Hemant Parikh & Others (Sumukh Developers**

**BEFORE MR. FIRDOSH P. POONIWALLA (ADVOCATE)**

**Arbitration Between:-**

|        |                            |                    |           |   |
|--------|----------------------------|--------------------|-----------|---|
|        | Chandrakant Gogri & Others | .....              | Claimants |   |
|        | And                        |                    |           |   |
| Others | .....                      | Hemant Respondents | Parikh    | & |
|        | (M/s. Sumukh Developers)   |                    |           |   |

**MINUTES OF THE ARBITRATION MEETING HELD ON 11<sup>TH</sup> OCTOBER, 2017, AT**  
**6.15 PM, AT ROOM NO. B, VARDHAMAN CHAMBERS, 17, CAWASJI PATEL**  
**STREET, FORT, MUMBAI – 400 001**

Appearances:

For the Claimants:-

Mr. Swapnil Ambure and Mr. Prasanna J. Naidu, Advocates, i/b Dinesh D. Tiwari & Associates, Advocates

For the Respondents:-

For Respondent No. 1 – Mr. Hemant Parikh, the Respondent No. 1, present in person

For Respondent Nos. 2 to 4 – Neither any Advocate nor any party present despite notice.

- 1) Today's Arbitration Meeting was fixed for hearing the arguments of the parties on the two Section 17 Applications filed by the Claimants.
- 2) Mr. Swapnil Ambure, the Learned Advocate for the Claimants, commenced and completed his arguments in support of the two Section 17 Applications filed by the Claimants.
- 3) Mr. Hemant Parikh, the Respondent No. 1, appeared in person and filed a Statement, signed by him, giving the status of the project of the Partnership Firm, M/s. Sumukh Developers, as directed by the Arbitrator at the Arbitration Hearing held on 13<sup>th</sup> September, 2017. Mr. Hemant Parikh also made submissions to oppose granting of any reliefs in the said two Section 17 Applications filed by the Claimants.
- 4) Both Mr. Swapnil Ambure and Mr. Hemant Parikh also adopted the arguments made by them in the Vinayak Realtors Arbitration.
- 5) In these circumstances, the parties completed their arguments on the said two Section 17 Applications and the Order thereon was reserved by the Arbitrator.
- 6) Mr. Hemant Parikh agreed to receive all communication and service by email and also furnished an additional email id to the Arbitrator.
- 7) By consent of parties present, the following directions were given by the Arbitrator:-
  - A) The Respondent Nos. 2 to 4 to file their Statement of Defence, along with copies of all documents relied upon, **on or before 25<sup>th</sup> October, 2017**, and serve copies of the same upon the Claimants and Respondent No. 1 by the same date.
  - B) The Respondent No. 1 to file his Statement of Defence and Counter Claim, along with copies of all documents relied upon, **on**

**or before 25<sup>th</sup> October, 2017**, and serve copies of the same upon the Claimants and Respondent Nos. 2 to 4 by the same date.

C) The Claimants and Respondent Nos. 2 to 4 to file their respective Statements of Defence to the Counter Claim of Respondent No. 1, along with copies of all documents relied upon, on or before **13<sup>th</sup> November, 2017**, and serve copies of the same upon the Respondent No. 1 and the other party by the same date.

D) The parties to exchange draft Points for Determination and file the same with the Arbitrator **on or before 25<sup>th</sup> November, 2017**.

E) An Arbitration Hearing will be held on **30<sup>th</sup> November, 2017, at 6.15 pm**, for finalizing the Points for Determination and for giving further directions in the matter.

F) The parties to fix the venue for the aforesaid Arbitration Hearing and inform the Arbitrator accordingly.

8) The parties are directed to pay all the fees of the Arbitrator forthwith.

Firdosh P. Pooniwalla

Sole Arbitrator