
(2014) 11 BOM CK 0105

In the Bombay High Court

Case No : Notice of Motion (L) No. 2559 of 2014 In Suit (L) No. 1072 of 2014

Shardul Suresh Shroff

APPELLANT

Vs

Cyril Suresh Shroff

RESPONDENT

Date of Decision : 18-11-2014

Acts Referred:

Citation : (2014) 11 BOM CK 0105

Hon'ble Judges : R.D. Dhanuka, J

Bench : Single Bench

Advocate : P.C. Chidambaram, Sr. Advocate, Soli Cooper, Sr. Advocate, F. D'Vitre, Sr. Advocate, M.P. Bharucha, Jehangir Jeejeebhoy, Nandini Singh and Pruthviraj N.K. i/b Bharucha, Partners, Advocate for the Appellant; Iqbal Chagla, Sr. Advocate, Tushar Cooper, Gautam Ankhad, Rohan Dakshini, Rajashree Ram, Nikita Mishra i/by Federal, Rashmikant, D.J. Khambatta, Sr. Advocate, Aditya Mehta, B. Desai, Verghese Thomas, Shanaya Irani, Aditi Deshpande i/by J. Sagar and Associates, Birendra Saraf, Nirav Shah and Hemangi Abhyankar i/by DSK Legal, Advocate for the Respondent

Judgement

R.D. Dhanuka, J.—Learned senior counsel for all the parties on instruction state that their clients have no objection if this matter is heard by this court. Statement is accepted.

2. Parties have arrived at the following interim arrangement till the matter is further heard.

(a) Plaintiff and defendant no. 1 on behalf of themselves and their respective families agree to a time bound mediation in respect of the subject matter of the suit including Family Framework Agreement and for resolving matters concerning two partnership firms and a company described in the plaint in all respects.

(b) The aforesaid parties have agreed that Mr. Nimesh Kampani shall be one of the mediator. Plaintiff has nominated Shri Justice B.N. Srikrishna, former Judge of the Supreme Court as one of the mediator. Defendant no.1 has nominated Shri. Harish Salve, Senior Advocate as Mediator. All the parties have agreed that

all the three mediators shall act jointly and would be at liberty to take assistance of any advisors or experts as they deem fit.

(c) Parties have agreed to cooperate with the learned Mediators and have agreed to make endeavour to resolve the matter expeditiously within a time frame of 31st December, 2014 and expandable by mutual consent.

(d) The interim arrangement arrived at between the parties is without prejudice to the rights and contentions of both the parties.

3. Defendants are directed to file affidavit in reply within three weeks from today. It is agreed by the parties that if any affidavit in reply is filed, the same also can be considered by the learned mediators. Place the matter on board under the caption of ad interim relief on 19th January, 2015.