

ITEM NO.27

COURT NO.13

SECTION IX

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 22197/2026

[Arising out of impugned judgment and order dated 06-03-2026 in CAP(L) No. 40164/2025 passed by the High Court of Judicature at Bombay]

HERITAGE LIFESTYLES & DEVELOPERS PVT. LTD.

Petitioner(s)

VERSUS

MADHUGIRI CO-OPERATIVE HOUSING SOCIETY LIMITED

Respondent(s)

IA No. 183241/2026 - EXEMPTION FROM FILING C/C OF I/JUDGMENT

Date : 21-07-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.V. VISWANATHAN
HON'BLE MR. JUSTICE ARUN PALLI

For Petitioner(s) Mr. Guru Krishna Kumar, Sr.Adv.
Mr. Mohan M.Jayakar, Adv.
Mr. Nikhil Wable, Adv.
Mr. Bharat Bagla, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

1. Heard Mr.Guru Krishna Kumar, learned Senior Counsel assisting by Mr. Mohan M.Jayakar, learned counsel for the petitioner.
2. The impugned order has refused to entertain the petition filed under Section 37 of the Arbitration & Conciliation Act 1996 (for short, 'A&C Act'). Against the order dated 10.11.2025 passed by the learned sole Arbitrator. The learned Arbitrator had, by the order dated 10.11.2025, directed that the Supplementary Development Agreement, which supplements the

original development agreement, be presented for stamping.

3. We find no good ground to interfere with the impugned order on the facts of this case.

4. At this stage, learned Senior Counsel for the petitioner submits that while even assuming the arbitrator was justified in impounding the Supplementary Development Agreement and referring it to the stamp authority, various observations have been made about the nature of the document.

5. Learned Senior Counsel for the petitioner apprehends that these observations will come in the way of the Stamp Authority deciding the issue under the Maharashtra Stamp Act, 1958 (for short, 'Stamp Act').

6. We are of the opinion that the apprehension is not justified. Section 39 of the MS Act makes it abundantly clear as to what course of action, the authority had under the Stamp Act, is to employ in case a document is received by it under Section 37(2) of the A&C Act. In the teeth of Section 39, it is needless to observe that the concerned Stamp Authority will decide the issue on its own merits uninfluenced by any of the observations made by the Arbitrator.

7. Considering that the arbitration proceedings are held up, the authority concerned under the Stamp Act, may act as expeditiously as possible.

8. With these observations, the Special Leave Petition is disposed of.

9. Pending application(s), if any, shall also stand disposed of.

(NIRMALA NEGI)
ASTT. REGISTRAR-cum-PS

(MANOJ KUMAR)
COURT MASTER (NSH)