

Court File No.: CV-25-00001061-000

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE

)

TUESDAY THE 9<sup>TH</sup>

JUSTICE LE MAY

)

)

DAY OF SEPTEMBER

B E T W E E N:

*(Court Seal)*

**2246733 (2010) ONTARIO LTD.**

Plaintiff

- and -

**HARSIMRAT GANDHI, SURINDER AHUJA, AARAV HOLDINGS INC.,  
AHUJA HOLDINGS INC., ARCADEIUM DEVELOPMENT CORP., and  
MAYFIELD ARCADEIUM HOLDINGS LTD.**

Defendants

**ORDER**

**THIS MOTION**, made *ex parte*, by the Plaintiff, 2246733 (2010) Ontario Ltd. ("**Plaintiff**") for an Order under Rule 45.02 of the *Rules of Civil Procedure* RRO 1990, O. Reg 194 requiring the Defendant, Mayfield Arcadeium Holdings Ltd., ("**Defendant**") to pay into court the Plaintiff's \$200,000 capital contribution to the limited partnership known as Mayfield Centre Limited Partnership held by the Defendant as general partner, an Order to compel the defendants to produce an Affidavit of Documents or a further and better Affidavit of Documents, and an Order for the Defendant to produce documentation pursuant to the *Limited Partnerships Act* RSO 1990, c L.16 and its obligations under a partnership agreement regarding Mayfield Arcadeium Centre Limited Partnership, was

heard on September 9, 2025 via video conference at the Brampton courthouse, 7755 Hurontario Street, Brampton, Ontario.

**ON READING** the Plaintiff's Motion Record dated August 25, 2025 (including the Affidavit of Sundeep Bahl, affirmed August 20, 2025, the Affidavit of Jan Khoshaba, affirmed August 20, 2025, the Affidavit of Paramjit Singh Suri, dated August 22, 2025, and the Supplemental Affidavit of Sundeep Bahl, affirmed August 25, 2025), filed, the Factum of the Plaintiff dated August 25, 2025, filed and upon hearing submissions from counsel for the Plaintiff,

1. **THIS COURT ORDERS** that forthwith, the defendants personally or through their counsel, Robert Drake ("**Mr. Drake**") of Koskie Minsky LLP and Christine Jonathan ("**Ms. Jonathan**") of Loopstra Nixon LLP, maintain \$200,000 in the trust account of their lawyers account on their behalf, in this action ("**Trust Funds**"). Mr. Drake and Ms. Jonathan shall provide written confirmation to the Plaintiffs counsel, Tanya Walker ("**Ms. Walker**") and Matthew Thomson ("**Mr. Thomson**") when paragraph 1 of this order is complied with.
2. **THIS COURT FURTHER ORDERS** that the Trust Funds shall not be disbursed until the later of 60 days from the date of this Order, until further Order of this Court or until a final decision is rendered regarding this motion.
3. **THIS COURT FURTHER ORDERS** that the parties do not need to comply with paragraph 2 if they all consent to the distribution or payment of the Trust Funds.
4. **THIS COURT FURTHER ORDERS** that if either defendant, do not have the funds in trust, their respective counsel must provide written confirmation to the Plaintiff forthwith.
5. **THIS COURT FURTHER ORDERS** that this Order, the Motion Record and Factum shall be served on Mr. Drake and Ms. Jonathan forthwith, following which the matter will return to Court to address the Rule 45.02 issue only on October 2<sup>nd</sup>, 2025 at 10:00 a.m.

6. **THIS COURT FURTHER ORDERS** that any responding materials to the Rule 45.02 portion of this motion are to be served and filed by no later than September 22<sup>nd</sup>, 2025.
7. **THIS COURT FURTHER ORDERS** that any reply materials to the Responding materials described in paragraph 6 are to be served and filed by no later than September 26<sup>th</sup>, 2025.
8. **THIS COURT FURTHER ORDERS** that any factums (or revised factums) are to be served and filed by no later than September 29<sup>th</sup>, 2025.
9. **THIS COURT FURTHER ORDERS** that the parties must endeavour to agree on a return date and timetable for the remainder of this motion for productions and the delivery of affidavits of document; and
10. **THIS COURT FURTHER ORDERS** that the costs of this motion shall be in the cause.



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The Honourable Justice Le May

**2246733 (2010) ONTARIO LTD.**  
Plaintiff / Moving Party

- and -

**SURINDER AHUJA et al.**  
Defendants / Responding Parties  
Court File No.: CV-25-00001061-0000

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**ONTARIO  
SUPERIOR COURT OF JUSTICE**

PROCEEDING COMMENCED AT  
BRAMPTON

**ORDER**

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Lawyers for the Plaintiff / Moving Party,  
2246733 (2010) Ontario Ltd.