

This order is corrected/modified pursuant to the speaking to minutes of the order dated 1st December 2025.

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT NO. 305 OF 2001

Shree Siddhivinyak Developers and others ... Plaintiffs

Versus

Saraldisha Investments and others ... Defendants

WITH
COMMERCIAL SUMMARY SUIT NO. 7 OF 1999
WITH
CONTEMPT PETITION NO. 59 OF 2012
IN
COMMERCIAL SUMMARY SUIT NO. 7 OF 1999
WITH
SUIT NO. 3813 OF 2000
WITH
CONTEMPT PETITION NO. 57 OF 2011
IN
SUIT NO. 3813 OF 2000

.....
Ms. Farheen Mustafa instructed by Mr. Jayesh Mestry, Advocate for the Plaintiff.

Ms. Neuty Thakkar instructed by Mr. Tushar Goradia, Advocate for the Plaintiffs in COMSS-7-1999, S-3813-2000 and Defendant No.1 in S-305-2001.

Mr. Yohaam Shah instructed by Negandhi Shah & Himayatullah, Advocate for the Defendants No.1, 3 and 4.

.....
CORAM : ABHAY AHUJA, J.

DATE : 28 NOVEMBER 2025

PC. :

1. By order dated 26th August 2025, the matter has been listed for marking of the Plaintiff's documents in Suit No.305 of 2001.

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2. However, when the matter is called out, Ms. Mustafa, learned Counsel, appears for the Plaintiff and submits that her Senior is not available and that the matter be accommodated.

3. Upon a query from this Court to Ms. Mustafa as to whether the Plaintiff's witness is present in Court, she answers in the negative.

4. Ms. Thakkar, learned Counsel, appearing for the Plaintiff in the other two suits has no objection.

5. Considering that the suit is of the year 2001, list on **23rd January 2026**.

6. Let the Plaintiff's witness in Suit No.305 of 2001 remain present in Court on the next date.

7. It is made clear that no further request for time would be entertained and the Plaintiff's evidence in Suit No. 305 of 2001 will be treated as closed if the Plaintiff's Advocate is absent or unable to proceed in the matter or the Plaintiff's witness is not present.

(ABHAY AHUJA, J.)