



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**COMMERCIAL SUIT NO. 167 OF 2023
WITH
INTERIM APPLICATION (STAMP) NO. 1051 OF 2026
IN
INTERIM APPLICATION NO. 3758 OF 2023
WITH
INTERIM APPLICATION (STAMP) NO. 1944 OF 2026**

Assets Care And Reconstruction

Enterprises Ltd. ... Applicant/Plaintiff

Vs.

Sunspire Builders And

Developers Formerly Known

As Geopreneur Spire Realty. ... Defendant

Mr. Kunal Dwarkadas, Mr. Aditya Pimpale, Mr. Ranjit Shetty.

Mr. Tejas Gokhale, Ms. Risha Alva, Ms. Monika Vyas i/b.

Argus Partners for the applicant/plaintiff.

Mr. Atul Damle, Senior Advocate, a/w. Ms. Payal Vardhan,

Mr. Shreyas Moharir i/b. Prtiesh Burad Associates for

defendant nos. 6 and 12.

Mr. Sagar Wagle i/b. K & P Legal Combile LLP for defendant
nos. 2, 3, 10, 11, 13, 14 and 15.

CORAM : GAURI GODSE, J.

DATE : 20th JANUARY 2026

ORDER :

1. Office shall place on record a report stating, whether the court notice as per the order dated 8th September 2025 is served as per the rules. There is an office report regarding service of the court notice through the board department by the Peon of the office.
2. Under Rule 445 of chapter XXVIII of the Bombay High Court, (Original Side) Rules, the court notices are required to be served through the Sheriff's office. Office shall therefore take steps to issue notice as per the order dated 8th September 2025 through the office of Sheriff.
3. Notice is waived on behalf of defendant nos. 2, 3, 4, 6, 9, 10, 11, 12, 13, 14 and 15.
4. It is therefore clarified that the court notice shall be issued to the unserved respondents.
5. Notice is made returnable on 24th February 2026.
6. Time to file affidavit-in-reply by defendant nos. 2, 3, 6, 10, 11, 12, 13, 14, 15 in the interim application is extended till 30th January 2026.

7. Time to file additional affidavit by defendant no.9 as per order dated 23rd December 2025 is extended till 30th January 2026.

8. Ad-interim protection already granted to continue till the next date.

[GAURI GODSE, J.]