

*Sharayu Khot.*

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

SUIT NO. 147 OF 2017

Lourdes Veronica Baptista

...Plaintiff

*Versus*

M/s. Crescent Builders and Developers  
and Ors.

...Defendants

WITH

INTERIM APPLICATION (L) NO. 28284 OF 2021

WITH

NOTICE OF MOTION NO. 851 OF 2017

WITH

NOTICE OF MOTION NO. 1821 OF 2018

WITH

NOTICE OF MOTION NO. 722 OF 2018

WITH

INTERIM APPLICATION NO. 1777 OF 2020

WITH

IPA NO. 21 OF 2017

WITH

NOTICE OF MOTION NO. 1080 OF 2019

WITH

TPAC (L) NO. 70 OF 2020

IN

SUIT NO. 147 OF 2017

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Mr. Shanay Shah i/by Ms. Dione Baptista for the Plaintiff.

Mr. Apurva Thipsay iby Shrayas Vyas for the Defendant Nos. 1 and 2.

Ms. Raksha Thakkar iby Parinam Law Associates for the Defendant Nos. 3 to 5.

Mr. Shyam Kapadia a/w Mr. Mustafa Bohra iby Solomon & Co. for the Defendant No. 8

Mr. Manish Upadhye, AGP for the Defendant NO. 9 (State).

Mr. Mohit Jadhav for the Applicant in IAL/28284/21.

Mr. Rashmin Khandekar a/w Krishma Shah iby A&P Partners for the Defendant Nos. 11 and 12 in NMS/1821/18.

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**CORAM : R.I. CHAGLA J**

**DATE : 7 December 2021**

**ORDER :**

1. Learned Counsel for the Plaintiff has sought extension of time to join the Defendant Nos. 10 and 11 in the Plaintiff by carrying out amendment to the cause title of the above Suit as per Schedule (a) to the Chamber Summons No. 119 of 2018 and other consequential amendment which were allowed by order dated 26th June 2018. Extension of time is granted. The Plaintiff shall carry out the amendment by tomorrow i.e. 8th December 2021,

2. Learned Counsel appearing for the proposed

Defendant No. 13 which is the Crescent Co-operative Housing Society has filed Application being Interim Application (L) No. 28284 of 2021 seeking impleadment as party Defendant No. 13 to the present Suit.

3. Interim Application has been served on all the parties except Defendant Nos. 6 and 7 who are residing abroad. The learned Counsel for the Applicant-Society states that the Applicant does not have the address of Defendant Nos. 6 and 7 and shall obtain the address from the Plaintiff.

4. The Respondents to the Intervenor Application filed by the Applicant-Society shall file the Affidavit in Reply on or before 17th December 2021.

5. Interim Application (L) No. 28284 of 2021 and Interim Application No. 1777 of 2020 shall be listed on 20th December 2021.

6. Learned Counsel appearing for the Defendant Nos. 3 to 5 has tendered Affidavit in Reply to the Notice of Motion No.

722 of 2018. Affidavit in Reply is taken on record.

7. Notice of Motion No. 1821 OF 2018, Notice of Motion No. 1080 of 2019 and Notice of Motion No. 851 of 2017 along with Notice of Motion No. 722 of 2018 shall be placed on 10th January 2022 for hearing.

**[R.I. CHAGLA J.]**