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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION(L) NO. 42110 OF 2025
IN
COMMERCIAL SUIT (L) NO. 41944 OF 2025**

Puravankara Limited ... Applicant/Plaintiff

vs.

The Deccan Cooperative Housing ... Defendant
Society Limited

**WITH
INTERIM APPLICATION NO. 697 OF 2026
IN
COMMERCIAL SUIT (L) NO. 41944 OF 2025**

Suresh Bhagwandas Chandan ... Applicant/Plaintiff

vs.

The Deccan Cooperative Housing ... Defendant
Society Limited

Mr. Naushad Engineer, Senior Advocate, Mr. Ziyad Madon, Ms. Pooja Vasandani i/b. M/s. Rashmikanth and Partners for the Applicants in IA/697/26.

Mr. Dinyar Madan, Senior Advocate Mr. Pranav Sampat, Ms. Sachi Lodha, Mr. Yash Kataria, Ms. Sakshi Kapadia i/b. Khaitan and Co., for the Plaintiff.

Mr. Nikhil Rajani(on VC) a/w. Mr. Ajay Deshmane i/b. V. Deshpande and Co., for Defendant No. 27.

Mr. Rohan Savant a/w Aman Saraf, Mr. Atharva Gade, Mr. Rishi Pakodia i/b. Jayaka and Partners, for Defendant No.2.

Mr. Amit A. Patil i/b. APLL for the proposed respondent in in IAL/3399/25.

Mr. Karl Tamboly a/w. Mr. Abhishek Nikhange i/b. Mr. Abhishek Nikhange for Defendant No.1.

Mr. Omkar Khanvilkar for Defendant Nos. 17,18,19 and 21.

Mr. Aditya Shrilakar i/b. Mr. Vijay B. Kanoria a/w. Mr. Manish Shukla, Mr. M.G. Gawde for Defendant Nos. 6,7,8,9,10,15 and 16.

Mr. Nikhil Rajani for Defendant.

Ms. Neeta Solanki i/b. Unison Legal for Respondent in IAST/3414/16.

Mr. Akshay R. Kapadia a/w. Mr. Kishor Lavate and Manthan Raval for Defendant Nos. 25.

Mr. Prashant Sarwankar for Defendant No.5.

Mr. Raghunath S. Gawde for Defendant No.23 in IA/42110/25.

Mr. Rahul Soman and Ms. Amruta Thakor i/b. Naik and Naik Co., for Defendant Nos. 3 and 4.

CORAM : GAURI GODSE, J.

DATED : 9th FEBRUARY 2026

ORDER:

INTERIM APPLICATION(L) NO. 42110 OF 2025

1. Office shall place on record a report stating whether the service through the office of sheriff is effected on the unserved defendants.

2. Learned counsel appearing for the society has tendered a list of allotment of flats which according to him is approved in the general body meeting of the society. The list is taken on record. Learned counsel for the society submits that he will file an affidavit

placing on record the particulars of the general body meeting approving allotment of the flats in the new building.

3. Necessary affidavit to be filed within one week.

4. A copy of the list tendered today stating that it was the list approved in the general body meeting, also to be placed on record along with the affidavit.

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5. Society shall file affidavit-in-reply to this application within a week. The plaintiff is also at liberty to file reply if any to the interim application within one week.

6. Time to file affidavit-in-reply is extended by one week from today.

7. Stand over to 17th February 2026.

INTERIM APPLICATION(L) NO. 3414 OF 2026.

8. Not on board. Taken on the board.

9. Learned senior counsel appearing for the plaintiff submits that after the suit is filed the proposed defendants have intimated certain conditions for vacating the flats. Hence, it is necessary to add those defendants as a party to the suit. Learned counsel for the proposed

defendants opposes the prayers on the ground that she has not been served with the copy of the plaint proceedings.

10. Considering the dispute involved in the suit and the prayers based on the redevelopment agreement by the society, the proposed defendants would be necessary parties to the suit.

11. The proposed defendants would always be entitled to file their reply on merits of the suit and the interim application for interim relief filed by the plaintiff.

12. The proposed defendants would be necessary parties to the suit. Hence, the interim application is allowed in terms of prayer clause (b) and (c). Amendment to be carried out within two weeks. Since the application for amendment containing the proposed amendments is verified; reverification of the plaint is dispensed with.

13. The interim application is allowed in the aforesaid terms.

14. A copy of the plaint and the interim application shall be served upon the learned advocate who appears for the proposed defendants.

15. Stand over to 17th February 2026.

(GAURI GODSE, J.)