

Sharayu Khot.

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

INTERIM APPLICATION (1) NO. 3497 of 2022

IN

SUIT (L) NO. 3471 OF 2022

Indico Construction Company

...Applicant/
Plaintiff

Versus

A.H. Wadia Charity Trust & Ors.

...Defendants

Mr. Y.S. Bhate for the Plaintiff.

Mr. Drupad Patil a/w Namitkumar Pansare for the Defendant
No. 2.

CORAM : R.I. CHAGLA J

DATE : 09 March 2022

ORDER :

1. Learned Counsel appearing for the Applicant/Plaintiff states that this Interim Application has been taken out in the above Suit for directing the Defendant Nos. 2 to 13 to forthwith quit, vacate, handover the peaceful possession of the suit property to the Plaintiff and for order of temporary injunction restraining the Defendants from

interfering or disturbing the peaceful possession of the suit property by the Plaintiff without following due process of law.

2. The Plaintiff has filed the present Suit under Section 6 of the Specific Relief Act, 1963 on account of the Plaintiff claiming to have been forcibly dispossessed from the suit property by the office bearer of the Defendant No. 2 on 21st September 2021 without following due process of law.

3. Learned Counsel appearing for the Defendant No. 2 has sought time to file Affidavit in Reply to the Interim Application. He states that the Written Statement to the Suit Plaintiff is being filed and the copy of the same has been exchanged by the Defendant No. 2 with the Plaintiff.

4. The Defendant No. 2 shall file Affidavit in Reply to the Interim Application within a period of two weeks from the date of this order i.e. on or before 23rd March 2022.

5. The Applicant/Plaintiff is at liberty to file Affidavit in Rejoinder within a period of one week thereafter i.e. on or

before 30th March 2022.

6. List the Interim Application under the caption for *ad-interim* relief on 5th April 2022.

[R.I. CHAGLA J.]