

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

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SUIT NO.3121 OF 2004

Gopal L. Raheja & Anr. ... Plaintiffs

Versus

Vijay B.Raheja & Ors. ... Defendants

WITH

**INTERIM APPLICATION (L) NO.17115 OF 2023
IN
SUIT NO.3121 OF 2004**

Sunil Madhavdas Ahuja ... Applicant

Versus

Gopal Raheja ... Respondent

WITH

**INTERIM APPLICATION (L) NO.5194 OF 2024
IN
SUIT NO.3121 OF 2004**

Sandeep G. Raheja ... Applicant

Versus

Gopal L. Raheja ... Respondent

WITH

CHAMBER ORDER NO.397 OF 2014

WITH

CHAMBER SUMMONS NO.1667 OF 2015

WITH

CHAMBER SUMMONS NO.1488 OF 2015

IN

SUIT NO.3121 OF 2004

**Mr D.v. Deokar i/by Parimal K. Shroff & Co. for the plaintiff.
Mr Sarthak Solaskar with Mr. Sohal Awasthi i/by Vinod
Mistry & Co. for the Applicant in IAL/17115/2023.
Mr Hrushi Narvekar i/by Mr. Madhu Hiraskar for the
Applicant in IAL/5194/2024 & for plaintiff no.2.
Mr Ajinkya Jaibhave for defendant no.8
Ms Yesha Thaker i/by LJ Law for defendant no.9.**

CORAM : Jitendra Jain, J.

DATED : 20 August 2025

PC:-

In Interim Application (L) No.17115 of 2023 :-

1. Learned counsel for the plaintiff seeks time to file reply to this interim application.
2. Learned counsel for the applicant in this interim application states that the interim application was served on the plaintiff in August 2023. Today, we are in August 2025. Approximately two years have passed and still reply has not been filed. However to give one more opportunity to the plaintiff to file reply to the interim application, time of four weeks is granted subject to payment of cost of Rs.25,000/- to the Tata Memorial Hospital, Dr. E. Borges Road, Parel, Mumbai - 400 012. Cost should be paid within four weeks from today.
3. If the cost is not paid within the time prescribed, right of the plaintiff to file reply to the interim application would stand forfeited.

In Interim Application (L) No.5194 of 2024 :-

4. Ms. Thaker, learned counsel for respondent no.9 seeks time to file reply to this interim application. Mr. Narvekar, learned counsel for the applicant states that the interim application was served on all the respondents in February 2024. There is no explanation by respondent no.9 as to why for a period of more than one year, reply to the said interim application is not filed. This practice of not filing the reply to the interim application for such long period results into delay in disposal of main suit which itself is almost 20 years old.

5. As a matter of last chance, to give an opportunity to respondent no.9 to file its reply to the said interim application, time of four weeks is granted subject to payment of cost of Rs.25,000/- to the KEM Hospital, Acharya Dondhe Marg, Parel, Mumbai -400 012. Cost should be paid within four weeks from today.

6. If the cost is not paid within the time prescribed, right of the respondent no.9 to file reply to the interim application would stand forfeited.

7. Mr. Narvekar, learned counsel for the applicant states that all the respondents have been served in February 2024. However, none of the respondents have filed their reply

In Suit No.3121 of 2004 :-

- 8.** List this matter on 22 August 2025 for further orders.

(Jitendra Jain, J)