

**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**

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**Ms Namrata Shah a/w Ms. Pooja Vasandani and Ms. Rakshita Singh i/by M/s. Rashmikant and Partners** for the applicant/Intervenor in CHS/1667/2015.  
**Mr Sarthak Solaskar i/by Vinod Mistry & Co.** for the Applicant in IAL/17115/2023.  
**Mr Hrushi Narvekar i/by Ms. 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.  
**Mr Prateek Seksaria a/w Mr. Ryan D'Souza, Mr. Zaid Mansuri and Prateek Kumar i/by DSK Legal** for proposed defendant no.11.

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**CORAM : Jitendra Jain, J.**

**DATED : 20 August 2025**

**PC:-**

1. Mr. Seksaria, learned senior counsel appearing for proposed defendant no.11 strongly objects to the maintainability of Interim Application (L) No.5194 of 2024 on the ground that the prayer sought in the present interim application is identical to the interlocutory application made before the National Company Law Tribunal (NCLT) in Application No.2353 of 2025.
2. Mr. Seksaria produces before me the comparative chart of the prayers in the proceedings before this Court and the NCLT. He, therefore, vehemently submits that Interim Application (L) No.5194 of 2024 should be dismissed.
3. Mr. Narvekar, learned counsel for the plaintiff no.2 strongly objects to the submissions made by Mr. Seksaria.

4. Without going into the arguments made by both the counsels, I deem it appropriate for the said issue to be decided when the interim application is taken up for hearing.

5. Mr. Seksaria, learned senior counsel further submits that the application against defendant no.5 has been admitted by NCLT under Section 7 of Insolvency and Bankruptcy Code, 2016 vide order dated 8 July 2025 and the said order is confirmed in appeal<sup>2</sup> and moratorium time is triggered and, therefore, this matter cannot be proceeded with.

6. In view thereof, the present matter is adjourned and to come up in regular course. Parties to make application, if they so desire for hearing by this Court.

**(Jitendra Jain, J)**