

mnm

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

SUIT NO. 1450 OF 1999

Mahendrakumar C. Sanghvi & Ors. ...Plaintiffs
Vs.
S.P. Builders & Ors. ...Defendants

Ms. Dipti Panda a/w. Mr. Dhawal Mohan
i/b. Thakore Jariwala for the Plaintiffs
None for the Defendants

**CORAM : MRS. ROSHAN DALVI, J.
DATED : 3RD NOVEMBER, 2014**

P.C. :

I S S U E S

1. Whether the agreement between the plaintiffs and defendant Nos. 1 and 3 dated 27th August, 1973 is prejudicial, without authority and violative of the rights of the plaintiffs.
2. Whether the defendants have breached the provisions of Maharashtra Ownership Flats Act, 1963 (MOFA).
3. Whether the suit is barred on account of misjoinder of plaintiff Nos. 1 to 6.
4. Whether this suit is barred by the provisions of Order 2 Rule 2 of the CPC.

5. What relief, if any, are the plaintiffs entitled to ?

The plaintiffs shall file their affidavit of evidence as also affidavit of documents within 3 weeks.

The suit is adjourned to 24th November, 2014 for considering the admissibility of the documents of the plaintiffs.

(ROSHAN DALVI, J.)