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

**(909) INTERIM APPLICATION (L) NO. 6335 OF 2025
IN
COMMERCIAL SUIT NO.66 OF 2021**

Joitkumar Bhomchand Jain & Anr. ... Applicants/
Plaintiffs

Versus

Omkar Realtors and Developers Pvt. ... Defendants
Ltd. & Ors.

**ALONG WITH
(4) COMMERCIAL SUIT NO. 66 2021
WITH
INTERIM APPLICATION (L) NO.4563 OF 2020**

Joitkumar Bhomchand Jain & Anr. ... Applicants/
Plaintiffs

Versus

Omkar Realtors and Developers Pvt. ... Defendants
Ltd. & Ors.

**Mr Aditya Kedai, Ms. Shreema Doshi and Ms. Sharanya
Mahimatura i/by Lexicon Law Partners for the
applicants/plaintiffs.**

**Mr. Shakeeb Shaikh @ Huda Diomandwala for defendant
nos.1 to 3.**

**Mr. Sweta Shah and Mr. Abhishek Roy i/by Abhijit P. Kulkarni
for defendant no. 6/SRA.**

Mr. P.G. Lad for defendant no.7.

Mr. G.O. Giri i/by Ms. Komal Punjabi for defendant no.8.

CORAM : Jitendra Jain, J.

DATED : 16 September 2025

PC:-

1. Mr. Shaikh, learned counsel appearing for defendant nos.1 to 3 admits that inspite of the earlier order of this Court directing them to file reply to Interim Application (L) No.6335 of 2025, there has been lapse on behalf of the defendants. However, he states that the reply is ready and the same would be filed and served within a period of one week from today. Time granted by the earlier order expired on 2 June 2025.

2. In my view, defendant nos.1 to 3 should pay cost of Rs.25,000/- to Cama and Albless Hospital, BMC Office, Mahapalika Marg, Dhobi Talao, Fort, Mumbai – 400 001 within a period of two weeks from today. If the cost is not paid, then although the reply will be taken on record but the same would not be referred to and will be deemed that such a reply was never filed.

3. Learned counsel for the plaintiff undertakes that within a period of one week from today, the interim application which is on lodging will be numbered finally. If the objections are not removed within one week from today, this interim application to stand dismissed without further reference to the Court.

4. Learned counsel for the plaintiff to file an affidavit within two weeks from today to put on record the directions given by this Court on 23 August 2024.
5. List this matter along with Commercial Suit No.1364 of 2020 on 14 October 2025 for further consideration.

(Jitendra Jain, J)