

Ajay

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

**INTERIM APPLICATION (L) NO. 6402 OF 2026
IN
COMMERCIAL SUIT (L) NO. 4461 OF 2026**

M/s. G. K. Granites and Ors. Applicants /
.. Plaintiffs

IN THE MATTER BETWEEN

M/s. G.K. Granites and Ors. .. Plaintiffs

Versus

The Board of Directors of South Indian Bank Ltd.
and Ors. .. Defendants

-
- Mr. Mathews Nedumpara a/w. Mr. Dayanand H., Ms. Hemali Kurne and Ms. Shridevi B, Advocates for Applicants / Plaintiffs.
 - Mr. Sudhir Kumar a/w. Mr. V. Jaganathan, Advocates i/by O.A. Das and Associates for Defendant Nos.1, 2 and 15.

.....
CORAM : MILIND N. JADHAV, J.

DATE : APRIL 01, 2026.

P.C.:

1. Heard Mr. Nedumpara, learned Advocate for Applicants / Plaintiffs and Mr. Kumar, learned Advocate for Defendant Nos.1, 2 and 15.

2. The Suit is filed by M/s. G.K. Granite and Ors. through its Managing Partner which is based in District Ernakulam, State of Kerala. The jurisdiction clause is paragraph No.62 wherein it is stated that Reserve Bank of India being regulator all banks in India has its headquarter situated in Mumbai, the jurisdiction to file the present

Suit proceeding in this Court has arisen. The Suit seeks implementation and effect of Government of India's Notification dated 29.05.2015 which is popularly known as 'MSME Notification'.

3. In so far as the next submission of Mr. Nedumpara is concerned, he would submit that Defendant Nos.1 and 2 are the South Indian Bank Limited and Defendant No.3 is HDFC, Defendant No.14 is Reserve Bank of India and Defendant No.19 is State Bank of India. They are the recovery Bank. There are other Banks and NBFCs' also who are arrayed as Defendants. He would submit that Reserve Bank of India is Defendant No.14 and has its headquarter in Mumbai and hence this Court has jurisdiction.

4. *Prima facie* and *per contra*, Mr. Kumar, learned Advocate enters appearance on behalf of Defendant Nos.1, 2 and 15 which is the South Indian Bank Limited and its functionaries. He would submit that the Bank be permitted to file an appropriate Affidavit-in-Reply on maintainability as also other issues on merits.

5. In that view of the matter, notice is issued to unrepresented Defendants.

6. Mr. Kumar, learned Advocate waives service on behalf of Defendant Nos.1, 2 and 15.

7. In view of the above, issue notice to Defendant Nos.3 to 14

and 16 to 19. Humdast permitted.

8. In addition to Court notice, Plaintiffs are permitted to serve copy of Interim Application, Suit and this order on Defendant Nos.4 to 9 and inform them about the next date of hearing by any permissible mode of service and file appropriate Affidavit of service with tangible proof thereof on or before the next date.

9. After receiving notice, Defendant Nos.3 to 14 and 16 to 19 are directed to take cognizance of this order and file their comprehensive Affidavit-in-Reply to the Interim Application and Suit proceeding in accordance with law within three weeks from today.

10. Mr. Kumar is also permitted to file his Affidavit-in-Reply, if any, within a period of three weeks from today. Copy of the same shall be served on the other side in advance. Rejoinder, if any, is permitted to be filed within one week thereafter.

11. Plaintiff's Advocate shall forthwith serve a copy of this order and the proceedings on the other unrepresented Defendants.

12. Parties are directed to address the Court on maintainability on the next date.

13. Stand over to **29th April 2026**.

[MILIND N. JADHAV, J.]

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By AJAY
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