

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO. 88 OF 2020
IN
SUIT NO. 79 OF 2021

Mrs. Lina Rahul Parekh ...Applicant

In the matter between

Mrs. Lina Rahul Parekh ...Plaitiff

Versus

Mohini Chandru Hingorani and 10 Ors. ...Defendants

Mr. Mayur Khandekar a/w Mr. Zulfiyar Jariwala and Shabbir Jariwala i/by Dua Associates - Advocate for the Applicant.

Mrs. Rekha V. Rane – 2nd Asst. to Court Receiver – Present.

Ms. Alefiyah S. and Ms. Shreya M. I/by Keystone Partners – Advocate for the Defendant Nos. 1 to 3.

CORAM : DAMA SESHADRI NAIDU, J.

DATE : 03rd AUGUST, 2021.

P.C. :

In this Suit, the plaintiff filed an interim application for an injunction and for the appointment of a court receiver. By consent, the Court appointed the receiver to take care of certain properties. Regarding other properties, there was a contest. Eventually, the learned single judge refused to appoint the receiver to the

properties other than what had been consented to.

2. Aggrieved, the plaintiff carried the matter.

3. While disposing of the Letters Patent Appeal (St.) No. 140 of 2020, the learned Division Bench has required the respondents to deposit Rs. 2,25,0000/- per month. It has, in fact, directed thus:

(i) The Respondents shall for a period of three months deposit an amount of Rs. 2,25,000/- per month with the Prothonotary and Senior Master of this Court being charges for allowing them to conduct the business of Kit Kat Restaurant and Harvic Restaurant.

(ii) The amount of Rs. 2,25,000/- shall be payable and therefore deposited on or before 28th February, 2021, 31st March, 2021 and 30th April, 2021.

(iii) The learned Single Judge is requested to dispose of the Interim Application finally within a period of three months from the date of this order without being influenced by the earlier order as well as this Order.

4. Later, as the respondents have filed a written statement along with certain documents and also as there arose certain later developments, the applicant has filed an additional affidavit.

5. On the other hand, the learned counsel for the respondents seeks time to file a reply to that additional affidavit.

6. Post the matter in two weeks. By then, the pleadings in

this interim application shall be complete. Thereafter, the Court will take up the matter for adjudication as required by the learned Division Bench, in its order dated 22.01.2021.

Post the matter on **18.08.2021**. As the copy of the additional affidavit has already been served on the respondents/defendants, the applicant is permitted to place it before the Court; the Registry will accept it. Similarly, if the respondents file any pleadings, the Registry will receive them.

[DAMA SESHADRI NAIDU, J.]