

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

INTERIM APPLICATION NO. 1518 OF 2021
WITH
INTERIM APPLICATION NO. 2833 OF 2021
IN
SUIT NO. 154 OF 2015

Ahsan @ Mansur Hasan Khan ...Applicant

In the matter between :

Ahsan @ Mansur Hasan Khan ...Plaintiff

Versus

1. Salim Hasan Khan & Ors. ...Defendants

WITH
SUIT NO. 498 OF 2016
WITH
WITH
INTERIM APPLICATION NO. 2833 OF 2021
IN
SUIT NO. 498 OF 2016
WITH
NOTICE OF MOTION NO. 867 OF 2016
WITH
NOTICE OF MOTION NO. 2271 OF 2016
IN
SUIT NO. 154 OF 2015
WITH
NOTICE OF MOTION NO. 567 OF 2017
IN
COUNTERCLAIM NO. 10 OF 2017

Mr.Akshay Kapadia i/b Mr.Rahul S. Kadam for applicant/plaintiff.

Mr. Atul Daga, a/w Mrs. Rashna Khan, Ms. Poorva Garg, i/b Mulla & Mulla & CBC, for defendant No.1 in Suit/154/2015.

Mr. A.K. Millwala i/b Mr. Hafeezur Rahman, for defendant Nos.3 & 4 in CC/10/17.

Ms. Shruti Maniar a/w. Ms. Shivani Bhandary i/b Solomon & Co. for defendant No.3 in IA/1518/21.

Mr.Prasad Dhande a/w. Mr. Amit Khairnar i/b D.H. Law Associates for defendant No.5.

Mr. Nooruddin Dhillia a/w. Ms. Aishwarya Wagle i/b M/s. Hariani and Co. for defendant Nos.1 to 3 in S/498/2018.

Mr. H.R. Patel, Master (Admn.) of Court Receiver present.

CORAM : N. J. JAMADAR, JJ.

DATE : 2nd DECEMBER , 2021

P.C.:

INTERIM APPLICATION NO. 1518 OF 2021

1. Heard Mr.Kapadia, the learned Counsel for the applicant-plaintiff and Mr.Daga, the learned counsel for the defendant No.1.
2. Mr.Daga, the learned counsel for defendant No.1 submits that in terms of the order dated 21st October 2021, the draft Leave and License agreements are yet to be shared by the Telecom Companies. Mr. Daga further submits that defendant No.1 has filed an affidavit as regards the outstanding amount of municipal taxes/charges in respect of Sakinaka property.
3. The learned counsel for the plaintiff seeks time to take instructions as regards the averments in the affidavit.
4. Let the plaintiff respond to the affidavit of the defendant No.1 as regards the outstanding amount of municipal taxes/charges.

5. In the meanwhile, the plaintiff and defendant No.1, who are before the Court, shall take necessary steps to execute fresh agreements with the respective Telecom Companies in terms of paragraph 4 of the order dated 21st October 2021.
6. List on 17th December 2021.

(N. J. JAMADAR, J.)