

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

SUIT NO.4913 OF 2000

Majid Ahmedbhai Omerbhoy

...Plaintiff

V/s.

Rashid Sattar Omerbhoy and Others

...Defendants

WITH

COURT RECEIVER'S REPORT NO.1 OF 2024

IN

SUIT NO.4913 OF 2000

WITH

CHAMBER SUMMONS NO.1202 OF 2011

IN

SUIT NO.4913 OF 2000

WITH

CHAMBER SUMMONS (L) NO.1859 OF 2014

IN

SUIT NO.4913 OF 2000

WITH

COURT RECEIVER'S REPORT NO.62 OF 2022

IN

SUIT NO.4913 OF 2000

WITH

INTERIM APPLICATION NO.1286 OF 2023

IN

SUIT NO.4913 OF 2000

WITH

INTERIM APPLICATION NO.3006 OF 2023

IN

SUIT NO.4913 OF 2000

WITH

NOTICE OF MOTION NO.2341 OF 2018

IN

SUIT NO.4913 OF 2000

WITH

INTERIM APPLICATION NO.1115 OF 2020

IN

SUIT NO.4913 OF 2000

WITH

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INTERIM APPLICATION NO.358 OF 2022
IN
SUIT NO.4913 OF 2000
WITH
COURT RECEIVER'S REPORT NO.331 OF 2021
IN
SUIT NO.4913 OF 2000
WITH
COURT RECEIVER'S REPORT NO.190 OF 2014
IN
SUIT NO.4913 OF 2000
WITH
COURT RECEIVER'S REPORT NO.242 OF 2021
IN
SUIT NO.4913 OF 2000
WITH
NOTICE OF MOTION NO.875 OF 2016
IN
SUIT NO.4913 OF 2000
WITH
SUO MOTU CRIMINAL CONTEMPT PETITION NO.1 OF 2004
IN
SUIT NO.4913 OF 2000
WITH
COUNTER CLAIM NO.17 OF 2008
IN
SUIT NO.4913 OF 2000
WITH
COURT RECEIVER'S REPORT NO.106 OF 2025
IN
SUIT NO.4913 OF 2000
WITH
COURT RECEIVER EXECUTION NO.4913 OF 2000
IN
SUIT NO.4913 OF 2000
WITH
COURT RECEIVER'S REPORT NO.108 OF 2012
IN
SUIT NO.4913 OF 2000
WITH
COURT RECEIVER'S REPORT NO.138 OF 2021

IN
SUIT NO.4913 OF 2000
WITH
INTERIM APPLICATION NO.2541 OF 2020
IN
SUIT NO.4913 OF 2000
WITH
CONTEMPT PETITION NO.76 OF 2018
IN
SUIT NO.4913 OF 2000
WITH
INTERIM APPLICATION NO.2139 OF 2021
IN
SUIT NO.4913 OF 2000
WITH
COURT RECEIVER'S REPORT NO.267 OF 2023
IN
SUIT NO.4913 OF 2000
WITH
NOTICE OF MOTION NO.2871 OF 2009
IN
SUIT NO.4913 OF 2000
WITH
COURT RECEIVER'S REPORT NO.261 OF 2021
IN
SUIT NO.4913 OF 2000
WITH
COURT RECEIVER'S REPORT NO.4913 OF 2000
IN
SUIT NO.4913 OF 2000
WITH
NOTICE OF MOTION NO.456 OF 2014
IN
SUIT NO.4913 OF 2000
WITH
NOTICE OF MOTION NO.313 OF 2019
IN
SUIT NO.4913 OF 2000
WITH
NOTICE OF MOTION NO.1310 OF 2013
IN

SUIT NO.4913 OF 2000
WITH
INTERIM APPLICATION NO.3274 OF 2025
IN
SUIT NO.4913 OF 2000
WITH
CHAMBER SUMMONS NO.1380 OF 2011
IN
SUIT NO.4913 OF 2000
WITH
CONTEMPT PETITION NO.78 OF 2018
IN
SUIT NO.4913 OF 2000
WITH
INTERIM APPLICATION (L) NO.12852 OF 2025
IN
SUIT NO.4913 OF 2000
WITH
INTERIM APPLICATION (L) NO.5371 OF 2021
IN
SUIT NO.4913 OF 2000
WITH
INTERIM APPLICATION NO.1712 OF 2021
IN
SUIT NO.4913 OF 2000
WITH
INTERIM APPLICATION NO.212 OF 2024
IN
SUIT NO.4913 OF 2000
WITH
INTERIM APPLICATION NO.3244 OF 2025
IN
SUIT NO.4913 OF 2000
WITH
NOTICE OF MOTION NO.1439 OF 2018
IN
SUIT NO.4913 OF 2000
WITH
INTERIM APPLICATION NO.1286 OFF 2023
IN
SUIT NO.4913 OF 2000

WITH
 INTERIM APPLICATION (L) NO.4791 OF 2023
 WITH
 COURT RECEIVER'S REPORT NO.62 OF 2022
 IN
 SUIT NO.4913 OF 2000
 WITH
 INTERIM APPLICATION NO.1115 OF 2020
 IN
 SUIT NO.4913 OF 2000
 WITH
 INTERIM APPLICATION NO.3006 OF 2023
 IN
 SUIT NO.4913 OF 2000
 WITH
 NOTICE OF MOTION NO.2340 OF 2018
 IN
 SUIT NO.2539 OF 2009
 WITH
 NOTICE OF MOTION NO.2341 OF 2018
 IN
 SUIT NO.4913 OF 2000
 WITH
 COURT RECEIVER'S REPORT NO.389 OF 2022
 IN
 SUIT NO.548 OF 2013

Mr. K. H. Munshi, Senior Advocate with Mr. Z. A. Jariwala and Mr. Ganesh Ambekar i/b Jariwala Associates for Plaintiff in Suit 4913/2000
 Mr. Kalpesh Joshi with Ms. Nisha Shah i/b Kalpesh Joshi Associates for the Defendants No. 1(a) and 1(b).

Mr. Kunal Dwarkadas with Ms. Marylou Bilawala, Mr. Neil Dutta and Mr. Ayan Roy i/b Wadia Ghandy & Co. for the Defendants No. 4(b)(i) to 4(b) (iv).

Ms. Uma Palsuledesai, AGP for State, Respondents No. 4 to 8 in NMS 2340/2018 and for Defendant No. 13 to 17 in Suit No. 2589/2009.

Mr. Karl Tamboly with Mr. Malcolm Siganporia, Mrs. Nandini Joshi, Mr. Dhruv Joshi, Ms. Preeti Agarwal and Ms. Janavi Khant i/b Harish Joshi & Co. for the Respondent No.9 in IA 2541/2020 in Suit 4913/2000.

Mr. Karl Tamboly with Mr. Malcolm Siganporia and Mr. Dev Tejani i/b Mr. Dev Tajani for the Defendant No.2 in IA 3244/25, 12852/25,

3274/25, 1115/20, 3006/23, NM 2341/18 in Suit No. 4913/2020 and NM 2341/18 in Suit No. 2539/09.

Mr. Negandhi Shukla for Defendant s No. 8 and 9 in S 548/13.

Mrs. Nandini Deshpande, 1st Assistant to the Court Receiver present.

CORAM : ABHAY AHUJA, J.
DATE : 14th JULY, 2025

P.C. :

1. Although today this matter has been listed for hearing of Interim Application No. 3244 of 2025, Notice of Motion No. 2341 of 2018 and Interim Application No. 1115 of 2020, when the matter is called out, Mr. Munshi, learned Senior Counsel appearing for the Plaintiff in Suit No. 4913 of 2000 submits that in furtherance of the order dated 15th January, 2020, this Court may proceed to mark the balance documents and tenders across the bar a list of documents from serial numbers 136 to 154 of the compilation of documents dated August, 2015 with reference to supplementary affidavit in lieu of examination-in-chief on behalf of the Plaintiff dated 27th August, 2015.

2. However, Mr. Sigamporia, learned Counsel appearing for the Defendant No. 2 in the Suit submits that although he has recently come on record and cannot undo the past, however, he may be given an opportunity to put in place a statement of admission and denial on behalf of the Defendant No.2.

3. Mr. Munshi, learned Senior Counsel appearing for the Plaintiff submits that the said documents are concerned only with the Defendant No. 1 (now deceased) and therefore, the Defendants No. 1(a) and 1(b). However, Mr. Sigamoria insists on considering the same before this Court can proceed with the marking of the said documents and seeks some time to take instructions on the aforesaid documents and if necessary to put in place a statement of admission and denial on behalf of the Defendant No.2.

4. Accordingly, list for further marking of Plaintiff's documents in Suit No. 4913 of 2000 on **5th August, 2025 at 4.30 p.m.**

Interim Application No. 358 of 2022

5. Mr. Dwarkadas, learned Counsel appearing for the Applicant in this Interim Application seeks extension of time to sign the Agency Agreement with the Court Receiver and to furnish the Undertaking.

6. Mr. Dwarkadas submits that since the revised draft has recently been received, this Court may extend the time to furnish the Agency Agreement with the Court Receiver and to furnish Undertaking.

7. The time to sign the Agency Agreement with the Court Receiver and to furnish the Undertaking to this Court is extended by a period of five weeks.

Interim Application 3244 of 2025

8. Mr. Tamboly alongwith Mr. Sigantoria have concluded their arguments on behalf of the Applicant.

9. Mr. Joshi, learned Counsel appearing for the Defendants No 1(a) and 1(b) supports the Applications and the submissions made by Mr. Tamboly.

10. Mr. Munshi, learned Senior Counsel appearing for the Plaintiff also supports the Application, however, submitting that in support he would like to address this Court.

11. Mr. Dwarkadas, learned Counsel appearing for the Defendants No. 4(b)(i) to 4(b)(iv) in Suit No. 4913 of 2000 opposes the Application also submitting that he would need to address the Court.

12. Accordingly, list the Application on **7th August, 2025** as Part Heard along with all the connected matters.

(ABHAY AHUJA, J.)