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

**INTERIM APPLICATION NO. 3141 OF 2025
WITH
INTERIM APPLICATION NO. 1613 OF 2025
IN
COMMERCIAL SUIT NO. 18 OF 2025**

Vivek Narayan Naik and Anr. .. Plaintiffs
Versus
M/s. Shivani Builders and Developers and Ors. .. Defendants

**WITH
COMMERCIAL SUIT (L) NO. 28728 OF 2025
WITH
INTERIM APPLICATION (L) NO. 7666 OF 2026
IN
COMMERCIAL SUIT (L) NO. 28728 OF 2025**

Jeevan Shradhha Co-operative Housing Society
Ltd. .. Plaintiff
Versus
M/s. Parijat Constructions and Ors. .. Defendants

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- Mr. Akshay Kolse Patil a/w. Ms. Rashmi Raghavan, Ms. Vaishnavi Kamble and Ms. Shraddha Kada, Advocates for Applicants / Plaintiffs in Interim Application Nos.3141 of 2025 and 1613 of 2025.
 - Mr. Mayur Khandeparkar a/w. Mr. Vishwajeet Garewal, Mr. Devansh Shah, Mr. Santosh Pathak and Mr. Kailash Pathak, Advocates i/by Law Origin for Defendant Nos.1 to 5 and 7 to 9 in Interim Application Nos.3141 of 2025 and 1613 of 2025.
 - Mr. Amogh Singh a/w. Mr. Nimish Lotlikar and Mr. Deepesh Kadam, Advocates i/by Nimish Lotlikar for Defendant No.6.
 - Ms. Pragya a/w. Mr. Ameya Khot, Advocates i/by M/s. Legal Vision for Plaintiff in Commercial Suit (L) No.28728 of 2025.
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**CORAM : MILIND N. JADHAV, J.
DATE : MARCH 23, 2026.**



P.C.:

INTERIM APPLICATION NO. 3141 OF 2025
WITH
INTERIM APPLICATION NO. 1613 OF 2025
IN
COMMERCIAL SUIT NO. 18 OF 2025

1. Heard Mr. Kolse Patil, learned Advocate for Applicants / Plaintiffs in Interim Application Nos.3141 of 2025 and 1613 of 2025; Mr. Khandeparkar, learned Advocate for Defendant Nos.1 to 5 and 7 to 9 in Interim Application Nos.3141 of 2025 and 1613 of 2025 and Mr. Singh, learned Advocate for Defendant No.6.

2. Present Interim Applications are directed to be de-tagged and list the same on Board on **6th April 2026** separately. To be placed under the caption '**For Directions**'.

COMMERCIAL SUIT (L) NO. 28728 OF 2025
WITH
INTERIM APPLICATION (L) NO. 7666 OF 2026
IN
COMMERCIAL SUIT (L) NO. 28728 OF 2025

3. Heard Ms. Pragya, learned Advocate for Applicant / Plaintiff.

4. One final opportunity is given to Defendant Nos.2 and 3 to file Affidavit-in-Reply pursuant to the directions contained in paragraph No.6 of the order dated 06.10.2025. There are certain reliefs sought for by Plaintiff by filing two fresh Interim Applications namely Interim Application (L) Nos.7666 of 2026 and 9328 of 2026. Copies of the fresh Interim Applications shall be served on the other



side.

5. Defendant No.1 who is the principal Developer is directed to take immediate cognizance of the directions contained in the order dated 06.10.2025 and present two fresh Interim Applications and apprise the Court on the next date, failing which this Court will be constrained to hear Plaintiff and pass appropriate orders in the present Commercial Suit proceedings.

6. In the meanwhile, ad-interim relief granted by this Court on 06.10.2025 shall stand continued.

7. One grievance which is made by the Plaintiff's Advocate is that there should be dispensation of the NOC requirement from the Architect of the Developer. Corporation is party to the present Commercial Suit proceedings. Copy of fresh Interim Applications and this order shall be served on the Corporation. Advocate for Corporation is directed to remain present with instructions as to whether the said NOC can be dispensed with or otherwise and apprise the Court accordingly.

8. List the Commercial Suit and two fresh Interim Applications on Board on **1st April 2026**. To be placed under the caption '**For Directions**'.

[MILIND N. JADHAV, J.]