

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

INTERIM APPLICATION NO. 1798 OF 2022
IN
SUIT NO. 112 OF 2022

PANTNAGAR SHRI RAM CO-OPERATIVE)
HOUSING SOCIETY LTD.)... APPLICANT

V/s.

DEV REALTY CORPORATION AND OTHERS)... RESPONDENTS
WITH
SUIT NO. 112 OF 2022

Mr.Ajit Tamhane a/w. Mr.Ashish Ghadge i/by M/s.Tamhane & Co.,
Advocate for the Applicant/Plaintiff.

Mr.Viraj Kadam a/w. Ms.Nitan D. Mayekar and Mr.Vinayak Katti,
Advocate for the Respondent / Defendant no.2.

Mr.Anuj Desai a/w. Mr.Mani Thevar i/by Ganesh & Co., Advocate for
the Defendants no.3 and 4(a) to 4(d).

Mr.Jitendra Mishra a/w. Mr.Rupesh Dubey, Advocate for the
Respondents /Defendants no.6 to 8 and 10 to 26.

Mr.Muralidharan Kalathil i/by Mr.P.G.Lad, Advocate for the
Respondent/Defendant no.28 -MHADA.

CORAM : ABHAY AHUJA, J.

DATE : 16th April 2026

PC. :

1. When the matter is called out, Mr.Viraj Kadam, learned Counsel,
appears for the Respondent no.2 and submits that a short date be given

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to take complete instructions in the matter as he has been briefed only this morning.

2. A perusal of the proceedings indicates that the Respondent no.1 where the Respondent no.2 is a partner has been served on 6th April 2026, however, none appears for the Respondent no.1. Perhaps, the learned Counsel appearing for the Respondent no.2 needs to take instructions on the same.

3. Mr.Tamhane, learned Counsel appearing for the Applicant/Plaintiff, submits that this Court may direct the physical presence of the Respondent no.2 in Court as only then there can be some clarity in the matter.

4. Mr.Viraj Kadam appearing for the Respondent no.2 seeks some time to take instructions.

5. Mr.Anuj Desai, learned Counsel appearing for the Defendants no.3 and 4(a) to 4(d) has no objection and Mr.Jitendra Mishra, learned Counsel appearing for the Respondents no.6 to 8 and 10 to 26 also has no objection.

6. Having heard the learned Counsel and having considered the submissions, the following order is passed :

ORDER

- (i) Let Vakalatnama on behalf of the Respondent no.2 be filed within a period of one week and let instructions be taken in a week thereafter.
 - (ii) Let the Respondent no.2 remain present in Court on the next date.
7. List on **7th May 2026**.

(ABHAY AHUJA, J.)