

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

COMMERCIAL SUIT NO. 8 OF 2023

KETAN HIMATLAL MEHTA)...PLAINTIFF

V/s.

**VAIBHAV DEVELOPMENT CORPORATION)
AND OTHERS)...DEFENDANTS**

**WITH
JUDGE'S ORDER (L) NO. 21578 OF 2023
WITH
INTERIM APPLICATION (L) NO. 6374 OF 2024
WITH
INTERIM APPLICATION (L) NO. 7069 OF 2024
WITH
INTERIM APPLICATION (L) NO. 458 OF 2024
WITH
INTERIM APPLICATION (L) NO. 6863 OF 2024
IN
COMMERCIAL SUIT NO. 8 OF 2023**

Mr.Ziyad Madon a/w. Mr.Murari Madekar, Mr.Sachin Kudalkar i/by
M/s.Madekar & Co., Advocate for the Plaintiff.

Mr.Niranjan Mogre a/w. Mr.Umang Mehta, Advocate for the Defendants
no.1 to 3.

Mr.Yassesh Kamar a/w. Ms.Neha Patil, Ms.Trupti Poojari i/by Mr.Akshay
Kamble, Advocate for the Defendant no.5.

Mr.Nishant Sasidharan a/w. Mr.Vishal Thaker, Ms.Anjali Trivedi,
Mulanshu Vora and Hridaya Kashyap i/by V Thakers' Advocates,
Advocate for the Defendant no.6.

CORAM : **ABHAY AHUJA, J.**

DATE : **11th JUNE 2026**

PC. :

1. When the matter is called out, learned Counsel appearing for the Plaintiff and the Defendant no.6 tender across the bar draft issues on behalf of their respective clients.

2. However, Mr.Mogre, learned Counsel appears for the Defendants no.1 to 3 and submits that an Interim Application under Order VII Rule 11 of the Code of Civil Procedure, 1908 (“CPC”) has been filed seeking rejection of plaint as the Suit is not a Commercial Suit. Mr.Mogre also submits that draft issues have just now been furnished to him and some time be granted to go through the same.

3. Let the learned Counsel on behalf of the Plaintiff and the Defendants consider the Interim Application (Lodging) No.6863 of 2024 for rejection of plaint under Order VII Rule 11 of the CPC and if necessary file reply within a period of two weeks with copy to the other side. Rejoinder in a week thereafter with copy to the other side.

4. Let the draft issues furnished on behalf of the Plaintiff and the Defendant no.6 be considered by the learned Counsel appearing for the Defendants no.1 to 3.

5. List on **15th July 2026**.

6. Let office objections to the Interim Applications on lodging numbers be removed and registered numbers be obtained by the next date.

(ABHAY AHUJA, J.)