

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

SUIT NO. 357 OF 2017

GAUTAM R. PATEL )...PLAINTIFF

V/s.

MUKESH G. DESAI AND OTHERS )...DEFENDANTS

WITH  
NOTICE OF MOTION NO. 1239 OF 2017  
IN  
SUIT NO. 357 OF 2017

Mr.Siddharth Samantray a/w. Ms.Mahalakshmi i/by Purva Basrur,  
Advocate for the Plaintiff.

Ms.Sarvagnya P Trivedi i/by A. Bharat & Co., Advocate for the  
Defendants no.1 to 4.

CORAM : ABHAY AHUJA, J.

DATE : 11<sup>th</sup> FEBRUARY 2025

**PC. :**

1. Although this matter has been listed for framing of issues today, after recast issues had been furnished to the Advocate appearing for the Defendants no.1 to 4, Ms.Sarvagnya P Trivedi, learned Counsel, appears for the Defendants no.1 to 4 and submits that she has instructions to file an additional written statement.

2. Mr.Siddharth Samantray, learned Counsel, appearing for the Plaintiff opposes the request submitting that an application would have to be made in this regard as neither there is an order of the Court for filing of an additional written statement nor does the Code of Civil Procedure, 1908, permit the same.

3. Accordingly, list on **19<sup>th</sup> March 2025**.

4. It is made clear that if draft issues are not furnished by the next date, this Court will proceed to settle issues after going through the plaint and the written statement.

**(ABHAY AHUJA, J.)**