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

COMMERCIAL SUIT NO. 179 OF 2023

Mahendra Babulal Parikh ...Plaintiff

Versus

State Bank Of India ...Defendant

Mr. Jayant Gaikwad, *for the Plaintiff.*
Mr. Sanjay Kelkar, *a/w Omkar Kelkar, for Defendant.*

CORAM : SOMASEKHAR SUNDARESAN, J.
DATE : May 4, 2026

ORDER :

1. Learned Advocate for the parties have exchanged draft issues and agreed that the following issues may be framed in the Suit:-

1. Whether the Plaintiffs prove that there are balance pledged shares still lying with the Defendant Bank?

2. Whether the Plaintiffs prove that the Plaintiffs are entitled to the balance pledge shares along with accruals thereon as setout in Exhibit "U" in the Plaint from the Defendant?

3. Whether the Plaintiffs prove that the Defendant has sold the excess pledged shares in the market?

4. Whether the Plaintiffs prove that the Defendant is liable to pay the credit amount of Rs. 5,73,711.08/- along with interest @18% p.a. from 1st January 2005 to the Plaintiffs?

5. Whether the Plaintiffs prove that in the alternative, the Defendant is liable to pay the present market value of Balance pledged shares as set out in Exhibit "AA" in hte Plaint to the Plaintiffs?

6. Whether the Suit is barred by law of limitation ?

2. Learned Advocate for the parties also agree that there was a bunch of connected suits which stood transferred on account of pecuniary jurisdiction and the process of admission and denial of documents tendered in those Suits before the City Civil Court is underway. It is submitted that the matter be stood over by an appropriate period, after which, once the admission and denial in those proceedings are completed, the parties shall address the Court on further process of leading evidence.

3. In these circumstances, by consent, stand over to ***July 30, 2026***.

4. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]