

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

**INTERIM APPLICATION (L) NO. 10876 OF 2023
IN
COMMERCIAL SUIT (L) NO. 20448 OF 2022**

Neminath Realty ...Applicant
vs.
Razia Abbas Hetavkar ...Respondent

**ALONGWITH
INTERIM APPLICATION (L) NO. 20453 OF 2023
IN
COMMERCIAL SUIT (L) NO. 20448 OF 2022**

Neminath Realty And 4 Ors. ...Applicants
vs.
Razia Abbas Hetavkar and 4 Ors. ...Respondents

Mr. R. L. Gonsalves i/by E. A. Gonsalves - Advocate for the
Plaintiffs

Mr. Harsh M. a/w Zishan Quazi i/by Prateek Rahade - Advocate
for the Defendant Nos. 1 to 3

Mr. Vijay B. Mishra - Advocate for Defendant Nos. 4 and 5.

CORAM : S. M. MODAK, J.

DATE : 23rd OCTOBER 2023

P. C. :-

1. Mentioned out of turn.
2. As per Order dated 11/10/2023, Defendant Nos. 1 to 3

were granted time to file reply to amendment application till today.

3. Due to cataract operation of the defendant no. 1, reply could not be filed. Necessary medical papers are annexed. The suit is not yet numbered because Plaintiff wants this amendment application to be decided first. There is also contention that these Defendants are proceeding in a suit before City Civil Court.

4. Three weeks' time is granted by way of last chance. If it not filed they will be saddled with a cost of Rs. 5,000/-. Rejoinder, if any, be filed within two weeks thereafter.

5. Defendant Nos. 4 and 5 have already filed reply to the Interim application.

6. Matter be kept on **04th December, 2023.**

[S. M. MODAK, J.]