

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

INTERIM APPLICATION NO. 618 OF 2025

IN

NOTICE OF MOTION NO. 763 OF 2019

Bhupendra Jivrajbhai Surani

...Applicant

Versus

HDFC Bank Limited

...Respondent

WITH

COMMERCIAL SUIT NO.157 OF 2016

WITH

INTERIM APPLICATION NO.1183 OF 2022

WITH

INTERIM APPLICATION NO.7641 OF 2025

WITH

INTERIM APPLICATION NO.1173 OF 2022

WITH

NOTICE OF MOTION NO.39 OF 2016

IN

COMMERCIAL SUIT NO.157 OF 2016

Mr. Yatin Oza, Sr. Advocate a/w Mansha Khemka, Dhruv Chaudhary and Ms. Vidhi Dugad i/b Khemka & Associates, for the Applicant in IA/618/2025 and for the Plaintiffs in COMS/157/2016.

Mr. Sameer Pandit a/w Ms. Sarrah Khambati and Mr. Aastik Agarwal i/b Wadia Ghandy & Co., for Defendant No.1 in COMS/157/2016 & IA/618/2025.

Mr. Mohit Bidhuri, for Defendant No.4 in COMS/157/2016.

CORAM : ARIF S. DOCTOR, J.

DATE : 22nd JANUARY, 2026

P.C.

1. This matter which has been substantially heard before the previous Benches. The principal relief which is sought in these Interim Applications is to vacate an order dated 24th February 2020 (incorrectly mentioned as 20th February 2020 in the prayer clause), by which an injunction in terms of prayer clauses (b) and (c) of Notice of Motion No.763 of 2019 in Commercial Suit No.157 of 2016 was passed at the instance of HDFC Bank, who is the Defendant in the Suit.
2. I am informed that the pleadings are complete. The matter would have to be heard.
3. Mr. Oza, learned senior counsel makes an earnest request to the Court that the pledge agreement be produced in this Court.
4. This is vehemently opposed by Mr. Pandit, learned counsel for HDFC bank, who submits that the Plaintiff does not have any locus as the Plaintiff has been declared bankrupt and a trustee has now been appointed in Hong Kong for the Plaintiff's asset. It is Mr. Oza's contention that this objection would not lie, since the Plaintiff has now been discharged as an insolvent.
5. Mr. Pandit has also submitted that an application was filed before this Court for the production of these very same documents, which came to be dismissed by an order dated 19th December 2024.
6. Mr. Oza has disputed this contention. Given this trajectory of the matter, it is trite that I hear the Interim Applications. In the event the Court finds it necessary for the production of any documents, the Court will issue appropriate

directions including if necessary for the documents to be produced for the perusal of the Court.

7. The Interim Applications will be taken up chronologically. Stand over to **23rd February 2026 at 3.00 p.m.**

[ARIF S. DOCTOR, J.]