

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

SUIT NO. 1628 OF 2008

NUSLI NEVILLE WADIA)...PLAINTIFF

V/s.

FERANI HOTELS PRIVATE LIMITED AND OTHERS)...DEFENDANTS

WITH

CHAMBER SUMMONS NO. 1479 OF 2008

WITH

INTERIM APPLICATION (L) NO. 27844 OF 2022

WITH

INTERIM APPLICATION (L) NO. 27403 OF 2022

WITH

INTERIM APPLICATION (L) NO. 28713 OF 2022

WITH

INTERIM APPLICATION (L) NO. 28919 OF 2022

WITH

INTERIM APPLICATION NO. 436 OF 2026

WITH

INTERIM APPLICATION NO. 433 OF 2026

WITH

COUNTER CLAIM (L) NO. 1415 OF 2011

WITH

INTERIM APPLICATION (L) NO. 28900 OF 2022

WITH

INTERIM APPLICATION (L) NO. 27880 OF 2022

WITH

INTERIM APPLICATION (L) NO. 27394 OF 2022

WITH

INTERIM APPLICATION (L) NO. 28941 OF 2022

WITH

INTERIM APPLICATION (L) NO. 29043 OF 2022

WITH

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**INTERIM APPLICATION (L) NO. 28937 OF 2022
WITH
INTERIM APPLICATION (L) NO. 28926 OF 2022
WITH
INTERIM APPLICATION (L) NO. 29888 OF 2022
WITH
INTERIM APPLICATION (L) NO. 28733 OF 2022
WITH
INTERIM APPLICATION (L) NO. 27398 OF 2022
WITH
INTERIM APPLICATION (L) NO. 27843 OF 2022
WITH
INTERIM APPLICATION (L) NO. 28716 OF 2022
WITH
INTERIM APPLICATION (L) NO. 28962 OF 2022
WITH
INTERIM APPLICATION (L) NO. 29842 OF 2022
WITH
INTERIM APPLICATION NO. 608 OF 2021
WITH
INTERIM APPLICATION NO. 4727 OF 2022
WITH
INTERIM APPLICATION (L) NO. 28703 OF 2022
WITH
INTERIM APPLICATION NO. 442 OF 2026
IN
SUIT NO. 1628 OF 2008**

Mr. Rohan Kelkar a/w. Mr.Abhishek Salian, Mr. Raghav Taneja and Ms. Fatema Kothari instructed by Vidhii Partners, Advocate for the Plaintiff. Mr.Kushan Kode i/by Prakash & Co., Advocate for the Applicant in IA/716/2026.

Mr.Rubin Vakil a/w. Mr.Vinay Nair i/by by Mr.Arun Panicker, Advocate for the Defendants No.19 to 21, 24 and 31.

Mr.S.U.Kamdar, Senior Advocate a/w. Mr.Y. Kamdar and Madhu Hiraskar i/by A.R.Vaidya & Co., Advocate for the Defendants No.12 and 16 and for the Applicant in IA/677/2026 and IA/684/2026.

Mr.Sayeed Mulani a/w. Ms.Akshata Kadam i/by Mulani & Co., Advocate for the Defendant No.33.

Mr.Sudarshan Satalkar a/w. MrAbhishek Nair and Ms.Palomi Vatsyayan i/by Federal & Co., Advocate for the Defendants No. 38 to 45, 47 and 48.

CORAM : ABHAY AHUJA, J.

DATE : 5th FEBRUARY 2026

PC. :

INTERIM APPLICATION NO. 716 OF 2026

1. This Interim Application seeks impleadment of the Applicant in place and stead of the Defendants no.36 and 37.
2. Mr.Kushan Kode, learned Counsel, appears for the Applicant and submits that pursuant to amalgamation of Defendants no.36 and 37, the Applicant was formed and draws this Court's attention to an order dated 4th August 2007 approving the scheme of amalgamation in support of his contention.
3. The other learned Counsel including the learned Counsel appearing for the Plaintiff have no objection if the Interim Application is allowed.
4. Having heard the learned Senior Counsel and the learned Counsel in the matter, the application is allowed in terms of prayer clause (a) which reads thus :

(a) This Hon'ble Court be pleased to order and direct the Plaintiff to implead the Applicant in place and stead of Defendant Nos.36 and 37.

5. Let the Defendants no.36 and 37 be deleted and in their place the Applicant be impleaded as Defendant no.37A.

6. The Plaintiff is directed to carry out the amendments within a period of two weeks and serve the amended proceedings within a period of two weeks thereafter.

7. The Interim Application is accordingly allowed and stands disposed as above.

INTERIM APPLICATION NO. 684 OF 2026

8. Mr.Kamdar, learned Senior Counsel, has commenced his arguments on behalf of the Applicant viz. Defendant no.12.

9. For Mr.Kamdar to continue, list on **12th March 2026** as **Part heard**.

(ABHAY AHUJA, J.)