

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

COMMERCIAL SUMMARY SUIT NO.7 OF 1999

KIMAYA WELLNESS LIMITED )...PLAINTIFF  
V/s.  
SHRI. SIDDHIVANAYAK DEVELOPERS & ORS )...DEFENDANTS

WITH  
CONTEMPT PETITION NO.59 OF 2012  
IN  
COMMERCIAL SUMMARY SUIT NO.7 OF 1999

SARLADISHA INVESTMENTS LTD )...PETITIONER  
V/s.  
SHRI. SIDDHIVANAYAK DEVELOPERS & ORS )...DEFENDANTS

WITH  
CHAMBER ORDER (L) NO.799 OF 2000  
IN  
COMMERCIAL SUMMARY SUIT NO.7 OF 1999

SARLADISHA INVESTMENTS LTD )...PLAINTIFF  
V/s.  
SHRI. SIDDHIVANAYAK DEVELOPERS & ORS )...DEFENDANTS

WITH  
SUIT NO.305 OF 2001

SHREE SIDDHIVINAYAK DEVELOPERS & ORS )...PLAINTIFFS  
V/s.  
SARLADISHA INVESTMENTS LTD & ORS )...DEFENDANTS

WITH  
SUIT NO.3813 OF 2000

ATCOM TECHNOLOGIES LTD )...PLAINTIFF  
V/s.  
Y.A. CHUNAWALA AND ANR )...DEFENDANTS

WITH  
CHAMBER SUMMONS (L) NO.807 OF 2019  
IN  
SUIT NO.3813 OF 2000

ATCOM TECHNOLOGIES LTD )...PLAINTIFF  
V/s.  
Y.A. CHUNAWALA AND ANR )...DEFENDANTS

WITH  
INTERIM APPLICATION (L) NO.25459 OF 2023

NATIONAL COOPERATIVE BANK )...APPLICANT  
V/s.  
ATCOM TECHNOLOGIES LTD )...RESPONDENT

WITH  
CONTEMPT PETITION NO.57 OF 2011  
IN  
SUIT NO.3813 OF 2000

ATCOM TECHNOLOGIES LTD )...PETITIONER  
V/s.  
Y.A. CHUNAWALA AND ORS )...RESPONDENTS

WITH  
COURT RECEIVER REPORT NO.260 OF 2021

ATCOM TECHNOLOGIES LTD )...PLAINTIFF  
V/s.  
Y.A. CHUNAWALA AND ANR )...DEFENDANTS

WITH  
INTERIM APPLICATION (L) NO.26255 OF 2022  
IN  
SUIT NO.3813 OF 2000

ATCOM TECHNOLOGIES LTD )...APPLICANT  
V/s.  
Y.A. CHUNAWALA AND ANR )...RESPONDENTS

Ms Paluck Bengali i/b Tushar Goradia, Advocate for the Plaintiff in 7/1999 and 3813/2000 and Defendant in 305/2001 and for Petitioner in CP 57/11 and CP 59/11.

Mr. Jayesh Mestry, Advocate for the Plaintiff in 305/2001 and Defendant in COMSS 7/1999 and Defendant No.2 in 3813/2000.

Mr. Yohan Shah i/b Nagandhi Shah and Himayatullah, Advocate for Defendants No.1,3 and 4 in S/3813/2000.

Ms. Akshata Pawar i/b Bhuta and Associates, Advocate for Applicant in IAL-2545/2023.

Mr. Samir A. Vaidya with Mr. Kaivalya Raul and Mr. Aaditya Tiwari for Respondents-Contemnors in CP 57/11 and CP 59/11.

**CORAM : ABHAY AHUJA, J.**  
**DATE : 4<sup>th</sup> JANUARY, 2024.**

**PC. :**

**SUIT NO. 305 OF 2001**

1. Mr. Mestry, learned Counsel appears for the Plaintiff in the said suit and submits that today the matter is listed for marking of documents. However, since the witness is bedridden and is not in a position to come to the Court, he seeks some time to keep the witness present. At his request, list on **24<sup>th</sup> January, 2024 at 4.00 p.m.** for marking of Plaintiff's documents in Suit No. 305 of 2001, which have been admitted.

**COMMERCIAL SUMMARY SUIT NO.7 OF 1999  
AND  
SUIT NO. 3813 OF 2000**

2. Marking of documents furnished on behalf of Plaintiff in these suits has already been completed. The marking of documents that have been denied will be taken up after marking of documents in Suit No. 305 of 2001. Accordingly, list on **24<sup>th</sup> January, 2024 at 4.00 p.m.** for marking of documents.

**CONTEMPT PETITION NO.57 OF 2011  
WITH  
CONTEMPT PETITION NO.59 OF 2012**

3. As recorded by order dated 13<sup>th</sup> September, 2023, pleadings are complete in these Petitions. Mr. Vaidya, learned Counsel appears for the Contemnors and submits that these Contempt Petitions also be listed on the same date for hearing. List on **24<sup>th</sup> January, 2024.**

**(ABHAY AHUJA, J.)**