

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

SUIT NO. 154 OF 2015

Ahsan @ Mansur Hasan Khan

... Plaintiff

Vs.

Salim Hasan Khan and Ors.

... Defendants

WITH

IN PERSON APPLICATION (L) NO. 16606 OF 2024

WITH

COUNTER CLAIM NO. 10 OF 2017

WITH

NOTICE OF MOTION NO. 1977 OF 2019

WITH

INTERIM APPLICATION (L) NO. 9070 OF 2020

WITH

INTERIM APPLICATION NO. 1518 OF 2021

WITH

INTERIM APPLICATION NO. 555 OF 2022

WITH

NOTICE OF MOTION NO. 867 OF 2016

WITH

NOTICE OF MOTION NO. 2271 OF 2016

WITH

INTERIM APPLICATION (L) NO. 25193 OF 2022

WITH

SUIT NO. 498 OF 2018

WITH

INTERIM APPLICATION NO. 2833 OF 2021

WITH
INTERIM APPLICATION (L) NO. 14337 OF 2024

Mr. F. H. Khan i/by Akshay R. Kapadia for the Plaintiff in Suit No.154 of 2015.

Mr. Atul Daga a/w Simon Mascarenhas i/by Mulla & Mulla and Craigie Blunt & Caroe for Defendant No.1 in Suit No.154 of 2015.

Mr. Shanay Shah a/w Mallika Joshi, Sailee Dixit, Shruti Mehta i/by Solomon & Company for Defendant No.3 in Suit No.154 of 2015.

Mrs. P. P. Sarang, Section Officer, Court Receiver is present.

CORAM : ARIF S. DOCTOR, J.

DATE , 03RD FEBRUARY 2025

P.C. :

1. The matter was placed for marking of documents today.
2. However, Learned Counsel for the Defendants pointed out that the Affidavit in lieu of Examination in Chief was not filed by the Plaintiff, though the Plaintiff was alive, but was filed by one Kashif Ahsan Khan, as a Constituted Attorney, who has infact gone to depose that what was stated in the said Affidavit was true to his own knowledge.
3. When confronted this to Learned Counsel appearing on behalf of the Plaintiff, he sought leave to withdraw the said Affidavit and file a proper Affidavit in lieu of Examination of Chief of Plaintiff.

4. Stand over to 3rd March 2025 for marking of documents.
5. Mr. Shah, Learned Counsel appearing on behalf of the Plaintiff in Suit No.498 of 2018 invited my attention to the order dated 29th April 2024 and sought an extension of time to file the Affidavit of Evidence in lieu of Examination in Chief of the Plaintiff in Suit No.498 of 2018.
6. At his request, time is extended by a period of three weeks from today to file the Affidavit of Evidence in lieu of Examination in Chief of the Plaintiff in Suit No.498 of 2018.
7. In the event if the occasion arises for the Plaintiff to lead further evidence, the same has been kept open.

(ARIF S. DOCTOR, J.)