

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
INTERIM APPLICATION NO. 713 OF 2025

IN

COMMERCIAL SUMMARY SUIT NO. 149 OF 2015

Mr Bindesh Shah ... Applicant

Versus

Multiflex Laxmi Print Limited and others ... Respondents

WITH

EXECUTION APPLICATION NO. 236 OF 2023

WITH

NOTICE NO. 140 OF 2025

IN

EXECUTION APPLICATION NO. 236 OF 2023

WITH

INTERIM APPLICATION NO. 4920 OF 2025

IN

COMMERCIAL SUMMARY SUIT NO. 149 OF 2015

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Mr. Tushad Kakalia, Advocate for the Applicant in IA-713-2025.

Mr. Aaqib Kazi, Advocate for the Applicant in IA-4920-2025.

Mr. Paras N. Vira, Advocate for the Respondent No.1.

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CORAM : **ABHAY AHUJA, J.**

DATE : **1 APRIL 2026**

PC. :

1. Pursuant to order dated 11th February 2026, today when the matter is called out, Mr. Kazi, learned Counsel, appears for the Applicant in Interim Application No.4920 of 2025 viz. the Original Defendant No.3 and submits that he has instructions to withdraw the

said Application seeking to set aside the ex-parte decree dated 31st January 2020, in as much as the Interim Applicant has already made payment of Rs.1,10,00,000/- to the Plaintiff and to that extent the decree dated 31st January 2020 also be marked satisfied.

2. Mr. Vira, learned Counsel, appearing for the Respondent No.1 and Mr. Kakalia, learned Counsel, appearing for the original Defendant No.4 and for the Applicant in Interim Application No.713 of 2025 have no objection.

3. Having heard the learned Counsel and having considered their submissions, the Interim Application No.4920 of 2025 is allowed to be withdrawn.

4. Let the ex-parte Decree dated 31st January 2020 be marked satisfied to the extent of Rs.1,10,00,000/-.

5. Let the pending proceedings be continued with respect to the balance amount as against the Defendants No.1 and 2.

6. Mr. Vira reiterates that the execution as regards the balance amount of the decree would not proceed until the Interim Application No.713 of 2025 is heard and decided.

7. List the Interim Application No.713 of 2025 also for hearing on **24th April 2026**.

(ABHAY AHUJA, J.)