

Sharayu Khot.

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

SUIT NO. 1998 OF 2007

Jatin Manubhai Sheth & Anr. ...Plaintiffs

Versus

Matangi Property Pvt. Ltd. & Ors. ...Defendants

Mr. Archit Chaturvedi, a/w Ms. Risha Sharma, i/by FF & Associates, for the Plaintiffs.

Ms. Hina A. Mody, for the Defendants.

CORAM : R.I. CHAGLA J.

DATE : 8 July 2019

ORDER :

1. Heard. Following issues are framed :

: ISSUES :

1. Whether Plaintiffs' Suit is maintainable?
2. Whether Plaintiffs prove that they are owners of the

suit property and larger property?

3. Whether Plaintiffs prove that the Memorandum of Understanding dated 14th May 2007 entered into by and between Defendant No. 1 and Defendant Nos. 2 to 51 is sham, bogus, fraudulent and unlawful?
4. Whether Plaintiffs prove that Defendant Nos. 2 to 51 have no right and authority to grant development rights to Defendant No. 1?
5. Whether Plaintiffs prove that Defendant Nos. 2 to 51 are illegally occupying the suit premises?
6. Whether Defendant Nos. 1 to 51 prove that the suit property is declared as slum area?
7. Whether Defendant No. 1 proves that it is entitled to develop the suit property under the Memorandum of Understanding dated 14th May 2007?
8. What order and decree?

2. The Plaintiffs shall, on or before 5th August 2019, file (i) the evidence affidavit of the Plaintiff; (ii) an affidavit of documents; and (iii) a compilation of documents duly indexed and paginated. Copies of each of these will be served on the advocates for the Defendants on or before that date.

3. Discovery and inspection is to be completed and statements of admission and denial are to be exchanged on or before 16th August 2019.

4. There will be no extension of time. In default of compliance, the suit will stand dismissed without further reference to the Court.

5. On the Plaintiff complying with these directions, the matter will be taken up for marking of the Plaintiffs' documents and further directions on 23rd August 2019, irrespective of the caption under which the matter appears.

[R.I. CHAGLA J.]