

R.M. AMBERKAR
(Private Secretary)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

INTERIM APPLICATION (L) NO. 17115 OF 2023
IN
SUIT NO. 3121 OF 2004

Sunil Madhavdas Ahuja & Anr. Applicants / Third
.. Party

IN THE MATTER BETWEEN

Gopal L. Raheja & Anr. .. Plaintiffs

Versus

Vijay B. Raheja & Ors. .. Defendants

-
- Mr. Deepak Shukla i/by Mr. Vinod Mistry & Co for Applicants
 - Ms. Madhu Hiraskar for Plaintiff No. 2
-

CORAM : MILIND N. JADHAV, J.

DATE : JULY 19, 2023

P.C.:

- 1.** Heard Mr. Shukla, learned Advocate for Applicants.
- 2.** This Interim Application seeks impleadment in a Suit which is filed in the year 2004. Applicants are third parties. According to learned Advocate for Applicants, Applicants had held an independent share in Defendant No. 5 – Company. Averments are to the effect that Applicant No. 1 was Director and shareholder in Defendant No. 8 Company and that Applicant No. 1 and his brother were having shareholding in Defendant No. 5 Company through Defendant No. 8. Further averments are to the effect that due to certain disputes between the parties, Suit No. 566 of 2011 was filed in this Court and

Consent Terms dated 16.06.2021 were filed therein. It is the Applicants' case that in view of those Consent Terms, the present Application is maintainable.

3. Today when the matter is called out, none appears for the parties namely Plaintiffs as also Defendants who according to the learned Advocates have been served. Mr. Shukla undertakes to file affidavit of service within a period of one week from today. Copy of today's order shall be served on all parties namely Plaintiffs and Defendants in the present suit proceedings so that all are put to notice that the present Application is being heard by this Court.

4. Contesting Respondents i.e. Plaintiffs and Defendants desirous of filing affidavit-in-reply are directed to do so within a period of two weeks from today. Copy of the affidavit-in-reply shall be served on the Applicants / learned Advocate for Applicants in advance. Rejoinder, if any, shall be filed within one week thereafter. After the order is dictated Ms. Hiraskar has tendered her appearance for Plaintiff No. 2.

5. Stand over to **23rd August, 2023.**

[MILIND N. JADHAV, J.]

Amberkar

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signed by
RAVINDRA
MOHAN
AMBERKAR
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