

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMMERCIAL SUIT NO. 769 OF 2017**

Kapila Infrastructure Limited ... Plaintiff
Versus
S. S. Developers and others ... Defendants

**WITH
INTERIM APPLICATION (L) NO. 35266 OF 2024
INTERIM APPLICATION (L) NO. 31057 OF 2023
NOTICE OF MOTION NO. 679 OF 2017
INTERIM APPLICATION NO. 1263 OF 2020
IN
COMMERCIAL SUIT NO. 769 OF 2017**

Mr. Mubeen Sirkhot instructed by Mr. Dhiren Shah, Advocate for the Plaintiff/Applicant.

Ms. Apeksha Sharma instructed by Law Global, Advocate for the Defendants No.1 to 3.

Mr. Mayur Sosa alongwith Mr. Raj Tamhankar instructed by Mr. Divakar Rai, Advocate for Defendant No.6.

Mr. Agnel Carneiro alongwith Ms. Gayatri Sathe instructed by Mulla & Mulla & CBC, Advocate for the Defendants No.15 and 16.

CORAM : ABHAY AHUJA, J.

DATE : 6 JANUARY 2025

PC. :

Interim Application (L) No. 31057 of 2023 :

1. When the matter is called out, Mr. Sirkhot, learned Counsel, appears for the Plaintiff and submits that since the suit property has been conveyed, an Interim Application (L) No.31057 of 2023 has been taken out to amend the Plaint, as the said transferees are not parties to the Suit.

2. Mr. Carneiro, learned Counsel, appears for the Defendants No.15 and 16 and submits that he has still not received a copy of the Interim Application.

3. Let copy of the Interim Application (L) No.31057 of 2023 be served upon the learned Counsel for the Defendants No.15 and 16. Reply, if any, be filed within a period of two weeks and rejoinder, within a week thereafter.

Interim Application (L) No. 35266 of 2024 :

4. Mr. Sosa, learned Counsel, appears for Defendant No.6 and submits that this Interim Application has been taken out by the Defendant No.6.

5. Mr. Sirkhot, learned Counsel, appears for the Plaintiff and seeks some time to file reply.

6. Let reply be filed within a period of two weeks, with a copy to the other side. Rejoinder, if any, in a week thereafter, with a copy to the other side.

Suit No. 769 of 2017 :

7. Let the unserved Defendants be served and an appropriate Affidavit of service be filed.

8. List on 10th February 2025.

(ABHAY AHUJA, J.)