

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**ORDINARY ORIGINAL CIVIL JURISDICTION**

**COMMERCIAL SUIT NO.46 OF 2014**

National Bank For Agriculture And Rural Development ...Plaintiff  
 vs.  
 Saral Enterprises And 5 Ors. ...Defendants

**ALONG WITH  
 SUIT NO.577 OF 2009**

M/s. Jayanand Khria & Co. Pvt. Ltd. & Anr. ...Plaintiffs  
 vs.  
 Chittranjan D. Shah & Ors. ...Defendants

**ALONG WITH  
 SUIT NO.1151 OF 2011**

M/s. Jayanand Khria & Co. Pvt. Ltd. & Anr. ...Plaintiffs  
 vs.  
 Dr. Viral Chittranjan Shah & Ors. ...Defendants

**ALONG WITH  
 SUIT NO.1438 OF 2011**

Chittranjan D. Shah And Ors. ...Plaintiffs  
 vs.  
 Chanchalaben Murji Chheda & Ors. ...Defendants

**ALONG WITH  
 SUIT NO.2211 OF 2011**

Chanchalaben Murji Chheda & Ors. ...Plaintiffs  
 vs.  
 Viral Hotel and Theatres Pvt. Ltd. & Ors. ...Defendants

**ALONG WITH  
 SUIT NO.2500 OF 2012**

White Roses CHS Ltd. & Ors. ...Plaintiffs  
 vs.  
 Khira Nagar Co-Op. Hsg. And Ors. ...Defendants

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Mr. S.P. Bharti, for the Plaintiff in Commercial Suit No.46 of 2014.

Mr. Ranjeev Carvalho, a/w. Mr. G.C. Mohanty, i/b. Mohanty & Associates, for Defendant No.1 in Commercial Suit No.46 of 2014.

Mr. Shakeeb Shaikh, a/w. Mr. Aftab Diamondwala and Ms. Huda Diamondwala, i/b. Diamondwala and Co., for Defendant No.3 in Commercial Suit No.46 of 2014; Plaintiff in Suit No.577 of 2009 and 1151 of 2011; Defendant Nos.5 and 6 in Suit No.1438 of 2011, Defendant Nos.9 and 10 in Suit No.2211 of 2011 and Defendant Nos.13 and 14 in Suit No.2500 of 2012.

Mr. Malcom Siganporia, a/w. Mr. Paras Gosar, i/b. Mr. Jayesh R. Vyas, for the Plaintiffs in Suit No.2500 of 2012.

Mr. P.M. Bhansali, for Defendant No.18 in Suit No.577 of 2009; for Defendant No.7 in Suit No.1151 of 2011 and Suit No.2211 of 2011 and for Defendant Nos. 1 to 7 in Suit No.2500 of 2012.

Mr. Amit Shastri, AGP for the State in Commercial Suit No.46 of 2014.

Mr. H.B. Takke, AGP for the State in Suit No.1151 of 2011.

Mr. Kunal Bhanage, AGP, for the State in Suit No.2500 of 2012.

Mr. Yamuna Parekh, for MCGM.

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**CORAM : S.C. GUPTE, J.**

**DATE: 18 DECEMBER 2020**

**P.C.:**

. In addition to the status of various suits, which are kept together, noted in order dated 23 November 2020, apropos Suit No.2500 of 2012, it may be noted that written statements have been filed and taken on record only of Defendant Nos. 13 and 14, and in respect of other Defendants, the suit has been transferred to the list of undefended

suits. Learned Counsel for the Plaintiffs in Suit No.2500 of 2012 submits that Defendant No.9 has passed away and legal heirs have to be brought on record in this suit as well as in other connected suits. Learned Counsel seeks time for the purpose.

2. Learned Counsel for the Plaintiff in Commercial Suit No.46 of 2014 submits that Defendant No.2 in this suit has expired and he has already moved and served an interim application for bringing legal heirs on record. This interim application shall also be taken on board on the next date and appropriate order shall be passed.

3. Learned Counsel for Defendant No.18 in Suit No.577 of 2009 may be given inspection of papers and proceedings in all six suits by the Registry.

4. There is also a draft amendment moved in two other suits for bringing legal heirs on record. Even this aspect shall be considered on the next date.

5. Stand over to 13 January 2021.

6. This order will be digitally signed by the Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

**(S.C.GUPTA, J.)**