

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
INTERIM APPLICATION (L) NO.21272 OF 2022
IN
COMMERCIAL SUIT (L) NO.21268 OF 2022**

Mohammed Nazim Ibrahim Shaikh & .. Applicants
Ors.

Versus

Ali Haji Kasam & Co. through its sole .. Respondents
Proprietor & Ors.

WITH

**INTERIM APPLICATION (L) NO.21280 OF 2022
IN
COMMERCIAL SUIT (L) NO.21279 OF 2022**

Mohammed Fariad Abdul Majid .. Applicants
Khan & Ors.

Versus

Ali Haji Kasam & Co. & Ors. .. Respondents

WITH

**INTERIM APPLICATION (L) NO.21282 OF 2022
IN
COMMERCIAL SUIT (L) NO.21277 OF 2022**

Mohammed Idris Khan & Ors. .. Applicants

Versus

Ali Haji Kasam & Co. & Ors. .. Respondents

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Mr.Shakeeb Shaikh with Mr.Noorain Patel i/b Diamondwala & Co. for the Plaintiff.

Mr.Aamir Koradia i/b Mr.Rajendra Rathod for the Defendant No.1.

...

CORAM: BHARATI DANGRE, J.

DATED : 12th JANUARY, 2024

P.C:-

1. The learned counsel for the Applicants/Plaintiffs makes a categorical statement that the amended sanctioned development plan dated 31/01/2022 has specifically carved out the area for the Plaintiffs and even their names are shown therein.

He would thus submit that if the Defendant/Developer makes a statement that he shall continue to maintain that area, his purpose in presenting the interim applications would be served.

2. Since the learned counsel for the Respondent No.1 seeks some time to obtain necessary instructions on this limited aspect, at his request, list on 25/01/2024.

He shall also obtain necessary instructions as regards the discharge of liability of transit rent.

(SMT. BHARATI DANGRE, J.)