



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

NOTICE OF MOTION NO. 2272 OF 2016

IN

SUIT NO. 791 OF 2016

Gulshan Kumar Bhasin

...Plaintiff

Versus

Raj Kumar Bhasin And 7 Ors.

...Defendants

Mr. Sunny Shah i/b Mr. Ashwin Ankhad & Associates, for the Plaintiff.

Mr. Anosh Sequeira a/w Ms. Veena R. Advani, for Defendant Nos.2, 3(a) and 3(b).

CORAM : ARIF S. DOCTOR, J.

DATE : 11th DECEMBER 2025

P.C.

1. The matter is on board today for framing of Issues.
2. Mr. Sequeira, learned counsel for Defendant Nos.2, 3(a) and 3(b) tenders a copy of the draft Issues.
3. The Court accordingly frames the following Issues:
 1. Whether the Plaintiff proves that the suit property described in Exhibits B and D forms or any part of it forms part of the estate of the deceased, Late Ramnath Bhasin?
 2. Whether the Plaintiff proves that the Plaintiff and Defendant Nos. 1,5,6,7 and 8 are each entitled to a 1/6 share in the suit property?
 3. Whether the Plaintiff proves that the Agreement dated 22.03.2002 executed between Defendant No.1 and Defendant Nos. 2 and 3 is



illegal, null, void, ineffective, and binding on the Plaintiff and be set aside and cancelled?

4. Whether the Plaintiff proves that no right, title, or interest in the suit flat is derived in favour of Defendant Nos.2,3(a) and 3(b) by virtue of the Agreement dated 22.03.2022?
5. Whether Plaintiff proves he is entitled to a mandatory injunction against Defendant Nos.2,3(a) and 3(b) for handover of quiet, vacant and peaceful possession of the suit flat?
6. Whether the Plaintiff is entitled to a permanent injunction restraining Defendant Nos. 1 to 4 from creating third-party rights, alienating, encumbering, or parting with possession of the suit property?
7. Whether the Plaintiff and Defendant Nos.5 to 8, in the alternative are entitled in full or part to this claim of Rs. 10,59,73,913/- as per Particulars of Claim in Exhibit "U" to the Plaintiff?
8. Whether the Plaintiff proves that the occupation of Defendant Nos.2 and 3 of suit flat is illegal and the Plaintiff is entitled to mesne profit/ rent at the rate of Rs.1,66,000 per month with a 5% annual increase for such period?
9. Whether suit or any of the reliefs are barred by the law of limitation?
10. Any order as to cost?
11. What Order/Decree?



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4. The Plaintiff to file affidavit of evidence, compilation of documents and affidavit of documents of all the Plaintiff's witnesses within a period of four weeks from today.
5. Stand over to **22nd January 2026** for hearing.

[ARIF S. DOCTOR, J.]