

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

INTERIM APPLICATION (L) NO.23477 OF 2024  
IN  
SUIT (L) NO.23472 OF 2024

Sunita Pradyuman Bhankharia )...Applicant/Plaintiff  
V/s.  
Amit Pradyuman Bhankharia & Ors. )...Defendants

Mr. Rohaan Cama with Mr. Shanay Shah, Mr. Shashwat Rai and Ms Mrinali Dave i/b Keystone Partners for the Applicant.

Mr. Mayur Khandeparkar with Mr. Yazad Udwardia and Ms. Mahi Thevar i/b Ganesh & Co. for the Defendants No. 1 and 2.

Mr. Tejjas Shah with Ms. Purva Pendurkar i/b Narayan & Narayan for the Defendant No.3.

CORAM : ABHAY AHUJA, J.  
DATE : 17<sup>th</sup> MARCH 2025

PC. :

1. Mr. Khandeparkar, learned Counsel appears for the Defendants No. 1 and 2 and submits that the reply is ready, however, some time be granted to serve and file the same.

2. When this Court is just about passing the order, Mr. Khandeparkar submits that if this Court is about to pass an order of status-quo till the filing of the reply, this Court permit him to point out that the Application for ad-interim relief is rather time barred in as much as the cause of auction has arisen on 5<sup>th</sup> May, 2021 and also that this Court may also direct the Plaintiff as well as the Defendant No.3 to

maintain status-quo with respect to the other properties as well and not just pass a status-quo order with respect to the subject shares, submitting that his clients are willing for a global settlement or a mediation in the matter.

3. Mr. Khandeparkar also points out that around November, 2022 the Plaintiff gifted the shares held in the demat accounts bearing nos. DP ID No. IN301151 and Client ID No. 22033131 and DP ID No. IN301151 to its respective second account holders viz. the Defendant No.3 and the Plaintiff's daughter, Deepali, who is not party to the litigation. That gift deeds were executed and that the Plaintiff had not made any gift deed in favour of the Defendant No.1.

4. On the other hand, Mr. Cama, learned Counsel appearing for the Plaintiff-Applicant submits that if time is being granted to file reply in the matter, atleast as regards the shares referred to in prayer Clauses (a) (v) and (a) (vi), there be an order of status-quo.

5. Mr. Cama would submit that the mediation that was attempted in the matter has failed and therefore, the predecessor Judge has in his last order dated 20<sup>th</sup> January, 2025 directed that the matter be listed for ad-interim reliefs.

6. Mr. Cama would submit that although gifts were made in favour of the Defendant No. 3 and the Plaintiff's daughter, no gift was made in favour of the Defendant No.1, however, the Defendant No.1 has illegally sought to transfer the subject shares covered in prayer Clauses (a)(v) and (a)(vi) and therefore, this matter has been circulated for ad-interim reliefs in respect of the prayers therein, after the mediation failed.

7. I have heard the learned Counsel and pass the following order:-

**ORDER**

i. Let reply be filed within a period of two weeks with copy to other side. Rejoinder in two weeks thereafter with copy to the other side.

ii. The Defendants No. 1 and 2 may consider making disclosures with respect to the prayer Clause (a) (v) in their replies.

iii. Till the next date, let there be an order of status-quo order with respect to the shares referred to in prayer clauses (a)(v) and (a) (vi).

8. List on **22<sup>nd</sup> April, 2025** for ad-interim reliefs.

**(ABHAY AHUJA, J.)**