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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 438 OF 2015

Sunali Roopkumar Rathod ... Plaintiff

Versus

Sameer Jitendra Sheth and others ... Defendants

WITH

INTERIM APPLICATION NO. 3977 OF 2025

INTERIM APPLICATION NO. 3937 OF 2023

NOTICE OF MOTION NO. 1149 OF 2015

RESTORATION APPLICATION NO. 514 OF 2015

INTERIM APPLICATION NO. 1963 OF 2025

IN

SUIT NO. 438 OF 2015

.....

Mr. Rishi Patodia instructed by Jayakar & Partners, Advocate for the Plaintiff.

Mr. Vivek Sharma, Advocate for the Defendants No.1 and 2.

Mr. Rohaan Cama instructed by Dastur Kalambi and Associates, Advocate for the Applicant in IA-3937-2023.

Mr. Aditya Miskita alongwith Mr. Yash Jain, Advocate for the Applicants in IA-1963 of 2025.

.....

CORAM : ABHAY AHUJA, J.

DATE : 14 AUGUST 2025

P.C. :

1. When the matter is called out, at the outset, this Court is informed that the Restoration Application No.514 of 2015 is wrongly on board as the same has already been disposed.

2. Remove from the Board.

Interim Application No.3937 of 2023 :

3. This Interim Application seeks impleadment of the Applicant in the Suit.
4. The learned Counsel appearing for the Plaintiff and the Defendants No.1 and 2 submit that they are desirous of filing reply(ies).
5. Let reply(ies) to the Interim Application be filed and served within a period of three weeks, with copy to the other side. Rejoinder(s) in a week thereafter, with copy to the other side.
6. Mr. Cama submits that the Respondents have been served and undertakes on instructions to file appropriate Affidavit of service, particularly with respect to the Defendant No.3.

Interim Application No.1963 of 2025 :

7. This Interim Application also seeks impleadment in the Suit.
8. Mr. Patodia, learned Counsel, appears for the Plaintiff and seeks to file reply.
9. Let reply be filed within a period of two weeks, with copy to the other side. Rejoinder be filed in a week thereafter, with copy to the other side.

10. Mr. Miskita, learned Counsel, appearing for the Applicants submits that the Defendants No.1 and 2 have already filed reply and as regards Defendant No.3, who has not filed any reply, he will file appropriate Affidavit of service with respect to the service of the Application to the Defendant No.3, by the next date.

11. List on **29th September 2025**.

12. Let instructions on the other Interim Application and the Notice of Motion be taken by the Plaintiff's Advocate, by the next date.

(ABHAY AHUJA, J.)