

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

SUIT NO. 438 OF 2015

SUNALI ROOPKUMAR RATHOD)... PLAINTIFF
V/s.

SAMEER JITENDRA SHETH AND OTHERS)... DEFENDANTS
WITH
NOTICE OF MOTION NO. 1149 OF 2015
WITH
INTERIM APPLICATION NO. 3937 OF 2023
WITH
INTERIM APPLICATION NO. 3977 OF 2025
WITH
INTERIM APPLICATION NO. 1963 OF 2025
IN
SUIT NO. 438 OF 2015

Mr.Yash Pandya i/by Jayakar & Partners, Advocate for the Plaintiff.

Mr.Vivek Kantawala, through video conferencing a/w. Mr.Manav Kantawala i/by Mr.Vivek Sharma, Advocate for the Defendant no.1.

Mr.Karl Tamboly, Advocate for the Applicant in IA/1963/2025.

Ms.Aditi Bhatt i/by Dastur Kalambi & Associates, Advocate for the Applicant in IA/3937/2023.

CORAM : ABHAY AHUJA, J.

DATE : 16th April 2026

PC. :

1. When the matter is called out, Mr.Tamboly, learned Counsel, appears for the Applicant in Interim Application No.1963 of 2025 and submits that the said application be heard before any fresh Consent Terms, as submitted by Mr.Kantawala, learned Counsel appearing for

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the Defendant no.1, can be entered into, as earlier also Consent Terms were filed which Consent Terms are annexed to the Interim Application to be taken on record.

2. Mr.Kantawala, learned Counsel appearing for the Defendant no.1, assures this Court that no Consent Terms would be entered into until and unless the same are approved by all the parties including Mr.Tamboly's client, although the learned Counsel submits that Mr.Tamboly's client is a stranger to the properties in the proceedings and seeks some time in the matter.

3. List on **23rd April 2026**.

(ABHAY AHUJA, J.)