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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMMERCIAL SUIT NO. 1447 OF 2018**

ICICI Bank Ltd ...Plaintiff
Versus
State Bank of India & Ors ...Defendants

**WITH
INTERIM APPLICATION (L) NO. 11326 OF 2021
IN
COMMERCIAL SUIT NO. 1447 OF 2018
WITH
INTERIM APPLICATION (L) NO. 3905 OF 2021
IN
COMMERCIAL SUIT NO. 1447 OF 2018
WITH
INTERIM APPLICATION NO. 180 OF 2019
IN
COMMERCIAL SUIT NO. 1447 OF 2018
WITH
INTERIM APPLICATION (L) NO. 3582 OF 2021
IN
COMMERCIAL SUIT NO. 1447 OF 2018**



WITH
COMM DIVISION NOTICE OF MOTION NO. 2453 OF 2018
IN
COMMERCIAL SUIT NO. 1447 OF 2018
WITH
COMM DIVISION NOTICE OF MOTION NO. 1377 OF 2019
IN
COMMERCIAL SUIT NO. 1447 OF 2018

Mr Sharan Jagtiani, Senior Advocate, with Ankita Singhania, Apurva Manwani, Siddharth Ranade, Samrudhi Chothani and Mihir Dalawai and Saloni Gupta, i/b Trilegal, for the Petitioner/Plaintiff.

Mr JP Sen, Senior Advocate, with Ms Nidhi Singh, i/b IndiaLaw LLP, for Defendants Nos. 1 and 2 (SBI and Dena Bank (BOB)).

Mr Cyrus Ardeshir, with Aditi Sharma, Archit Virmani and Aradhana Latne, for Defendant No.3.

Mr Rakesh Singh, with Lakshmi Bussa, i/b MV Kini & Co, for Defendant No.4-NHAI.

Mr Gaurav Joshi, Senior Advocate, with Vivek Shetty, Apoorva Gupta and Praneeta Ragji, i/b AZB & Partners, for Defendant No.5 and Applicant in IAL/11326/2021.

Mr Piyush Raheja, with SB Rao, i/b Gauri S Rao, for the Applicant (IDBI Bank) in IA/180/2019.

Mr Ameya Gokhale, with Radhika Indapurkar, i/b Shardul Amarchand Mangaldas & Co, for Defendant No.6.

CORAM: G.S. PATEL, J
(Through Video Conferencing)

DATED: 26th July 2021

PC:-



1. Interim Application No. 180 of 2019 will have to be heard and disposed of first. This is filed by IDBI. It seeks impleadment or intervention and it opposes the draft minutes of the order that have been presented by the Plaintiff and 1st Defendant among others.
2. Some parts of the Consent Terms are also opposed by Mr Ardeshir, who appears for the 3rd Defendant, the previous concessionaire of the toll road project. Whether Mr Ardeshir needs to file a separate Interim Application or not is for him to decide. His objections, if any, to the Consent Terms will be heard along with the IDBI's Interim Application, since it prima facie seems to me that there is something of an overlap between the 3rd Defendant's objections and IDBI's objections.
3. List the Interim Application on 4th August 2021. It will be listed along with the Plaintiff's Interim Application (L) no. 3905 of 2021.
4. All pending Interim Applications will be listed on 4th August 2021.
5. All concerned will act on production of an ordinary copy of this order.

(G. S. PATEL, J)