

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT NO. 3 OF 2010

Mumtaz Daughter Of Riyazuddin And
Wife Of Suleman Khan And Anr.
V/s.

.. Plaintiffs

Jamaluddin Riyazuddin Sheikh And Ors.

.. Defendants

WITH
INTERIM APPLICATION NO. 1234 OF 2019
IN
SUIT NO. 3 OF 2010

Mr. Shreepad Murthy a/w Mr. Abhishek Patil i/b Omkar Khaiyam Shaikh for Plaintiffs.

Mr. M. M. Vashi, Senior Advocate a/w Ms. Panthi Desai i/b M/s. M. P. Vashi for Defendants.

CORAM : FARHAN P. DUBASH, J.

DATE : 1st APRIL 2026

P.C.:

1. Pursuant to the last order dated 11th March 2026, the Commissioner has filed his report dated 23rd March 2026. A copy of this report has also been provided to both parties.

2. A perusal of the report reveals that the cross-examination of PW-2 is now completed.

3. The Plaintiffs have filed a list of witnesses dated 2nd May 2017. A perusal of this list reveals that at serial nos. 4, 5, 6 and 7, the Plaintiffs have sought to lead the evidence of the bank officials of the State Bank of

India, the MCGM officials, the Police Authorities and Revenue Authorities this is entirely impermissible. The Plaintiffs are required to provide the full name/s of the person/authority whose evidence is sought to be led on their behalf in the matter.

4. Be that as it may, the Plaintiffs are hereby directed to file the evidence Affidavits of all their remaining witnesses in Court, on or before 2nd May 2026. This is more so, considering the order dated 28th August 2018, that has already been passed in the matter. The Plaintiffs are put to notice that no further extension of time will be granted to them and if they do not file the evidence Affidavit, on or before the next date, it will be presumed that the Plaintiffs do not wish to lead any further evidence in the matter.

5. Place the matter together with Interim Application No. 1234 of 2019 for further consideration on 6th May 2026.

6. Mr. Shreepad Murthy, learned Counsel who appears on behalf of the Plaintiffs, tenders a copy of the Affidavit dated 30th March 2026 in Interim Application No. 1234 of 2019. The same is taken on record. A copy of this Affidavit has also been handed over to Mr. Vashi, learned Senior Counsel who appears on behalf of Defendants, and who is permitted to put in a Rejoinder thereto if he so desires, on or before 27th April 2026.

(FARHAN P. DUBASH, J.)

Shubham Gadhavepatil