

GAYATRI SHIMPI

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

NOTICE OF MOTION NO. 2342 OF 2018
IN
SUIT NO. 2539 OF 2009

Nadeem M. Oomerbhoy

Applicant
.. (Orig.Plaintiff)

IN THE MATTER BETWEEN

Nadeem M. Oomerbhoy

.. Plaintiff

Versus

Rashid Sattar Oomerbhoy and Ors.

.. Defendants

WITH
CRR NO. 267 OF 2023
IN
SUIT NO. 4913 OF 2000
WITH
NOTICE OF MOTION NO. 482 OF 2014
IN
SUIT NO. 2955 OF 2009
WITH
NOTICE OF MOTION NO. 609 OF 2015
IN
SUIT NO. 2955 OF 2009
WITH
CRR NO. 268 OF 2023
IN
SUIT NO. 458 OF 2013
WITH
INTERIM APPLICATION NO. 2406 OF 2021
IN
SUIT NO. 548 OF 2013
WITH
INTERIM APPLICATION NO. 3001 OF 2023
IN
SUIT NO. 2955 OF 2009
WITH
INTERIM APPLICATION 3006 OF 2023
IN
SUIT NO. 4913 OF 2000
WITH

NOTICE OF MOTION NO. 1698 OF 2016
IN
SUIT NO. 2955 OF 2009
WITH
CRR NO. 389 OF 2022
IN
SUIT NO. 548 OF 2013

.....

Mr. Kirti Munshi a/w Shilpan Gaonkar, Piyush Raheja, Zulfiqar Jariwala and Anushka Panchmatia i/by MDP and Partners for Applicant / Plaintiff in NMS No. 2342 / 2018 and CRR No. 267 / 2013.

Mr. Kalpesh Joshi a/w Nisha Shah i/by Kalpesh Joshi for Defendant No. 1(a) and 1(b) in NMS No. 2342 / 2018 and CRR No. 267 / 2013.

Mr. Chaitanya Chavan a/w Rahul Singh, Yash Naik for Defendant Nos. 2, 3 & 4(a) in NMS No. 2342 / 2018 and CRR No. 267 / 2013.

Mr. Kunal Dwarkadas a/w M. Bailwala, Nikhil Apte, Aryan Shrivastava, Niel Dutta i/b Wadia Ghandy and Co. for Defendant No. 4(b)(i) to 4(b)(iv).

Ms. Rutuja Patil, Yohaana Shah and Hasan M. i/by Negandhi Shah and Himayatullah for Defendant No. 11 and 12 in NMS No. 2342 / 2018 and CRR No. 267 / 2013.

Ms. Kanchan Pandare for Defendant No. 10 and 11 in Suit No. 548 of 2013.

Mr. E. B. Sivakumar, 1st Assistant to Court Receiver.

.....

CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 19, 2023

P.C.:

- 1.** Heard learned Advocate for the Parties in CRR No. 267 of 2023.
- 2.** With consent of all parties, in the interregnum, in view of the directions contained in the order dated 10.08.2023, the following further order is passed:-

1. The Court Receiver is directed to make payment to the two Advocate namely Mayur Thorat and Raahil Jhaveri referred to in the Order dated 10th August, 2023 for the work done on all the dates on the same basis and scale of fees as recorded and directed in the Order dated 10th August 2023 passed by this Court. The outstanding fees of each of the two Advocates for work done till date is Rs. 30,000/- each. The amount of Rs. 30,000/- each be transferred by the Court Receiver to their respective accounts as per the Bank Account details already submitted by them with the office of the Court Receiver not later than 23rd October, 2023. For further work undertaken, both at Shop No. 4, Usmania building, Room Nos. 4 and 7, Majid Kumbharwada as well as the Hira Villa flat, these Advocates shall be paid at the same rates as specified in clause 9(v) of the Order dated 10th August 2023 by the Court Receiver from the account of the Suit firm. These amounts for further work undertaken would be remitted not later than 7 days from the receipt of the Advocates memos being received by the Court Receiver. The time for completing the work mentioned in paragraph 2(v) of the Order dated 10th August 2023 stands extended upto 30th November, 2023 both in respect of the work to be carried out at Shop No. 4, Usmania

building and Room Nos. 4 and 7, Majid Kumbharwada as well as the Hira Villa flat on the same terms and conditions as set in Order dated 10th August 2023 readwith Order dated 19th August 2023.

2. Liberty to the parties to apply in case of any hurdles in implementing this order.
3. List the Suit for marking of Documents on 02.11.2023
4. Place for further hearing beyond 30th November, 2023.

G.R.SHIMPI

GAYATRI
RAJENDRA
SHIMPI

Digitally signed by
GAYATRI
RAJENDRA SHIMPI
Date: 2023.10.19
18:56:26 +0530

[MILIND N. JADHAV, J.]