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

COMMERCIAL SUIT NO.259 OF 2019

Navkar Nivesh Pvt.Ltd. ... Plaintiff
v/s.
Om Sai Infra & Ors. ... Defendants

**WITH
INTERIM APPLICATION (L) NO.5153 OF 2021
WITH
INTERIM APPLICATION (L) NO.5157 OF 2021
WITH
INTERIM APPLICATION (L) NO.5181 OF 2021
WITH
COMMERCIAL NOTICE OF MOTION NO.556 OF 2019**

Mr. Muttahar Khan i/by Mr. Dharmesh Joshi a/w Mr. Zaid Sultan
& Mr. Ritesh Yadav for the Plaintiff.

CORAM : KAMAL KHATA, J.

DATED : 6TH JANUARY 2026.

P.C. :

1. Mr. Khan, the Advocate appearing for the Plaintiff submits that there are 20 Defendants in the present Suit, out of which 9 were unserved and 11 were served as more particularly set out in the order dated 23rd March 2021. Thereafter the Plaintiff's made a paper publication in the two newspapers and accordingly all the



Defendants are deemed to have been served through paper publication.

2. The Counsel points out that there are three Interim Applications viz. (i) Interim Application (L) No.5153 of 2021 (ii) Interim Application (L) No.5157 of 2021 and (iii) Interim Application (L) No. 5181 of 2021 listed today on board. However, the Applicants remained unrepresented. He therefore requests that these Interim Applications be listed for hearing on the next date.

3. He further submits that these Interim Applications are for seeking condonation of delay on behalf of the five Defendants in filing the written statement.

4. List all these three Interim Applications on 14th January 2026 under the caption 'for hearing'.

5. The Suit against the other Defendants shall be treated as undefended.

(KAMAL KHATA, J.)