

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

SUIT NO.56 OF 2023

FERZANA ABDUL REHMAN ADAM AND OTHERS)...PLAINTIFFS

V/s.

RAHIM LATIF KAPADIA AND OTHERS)...DEFENDANTS

WITH

INTERIM APPLICATION NO.3744 OF 2024

IN

SUIT NO.56 OF 2023

WITH

INTERIM APPLICATION (L) NO.20851 OF 2024

IN

SUIT NO.56 OF 2023

WITH

IN PERSON APPLICATION (L) NO.33050 OF 2024

IN

SUIT NO.56 OF 2023

WITH

INTERIM APPLICATION (L) NO.9228 OF 2024

IN

SUIT NO.56 OF 2023

Mr.Umang Thakar i/by Desai & Diwanji, Advocate for the Plaintiffs.

Mr.Vaibhav Gaikwad, Advocate for the Defendant no.5.

Mr.Shrey Sancheti a/w. Mr.Parshva Shah, Advocate for the Defendant
No.9.

Mr.Umesh Nibhorkar, Clerk, Suit Board Department, present in Court.

CORAM : ABHAY AHUJA, J.

DATE : 2nd JANUARY 2025

PC. :

INTERIM APPLICATION (L) NO.9228 OF 2024

1. At the outset, it is pointed out that Interim Application (L) No. 9228 of 2024 has already been disposed on 4th April 2024 and the same is wrongly on board. Accordingly, the same be removed from board as the same is already disposed.

INTERIM APPLICATION (L) NO.20851 OF 2024

2. This Court is informed that the said application has already been allowed and is wrongly on board. Accordingly, remove the same from the board as the same is already disposed.

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3. Mr.Umang Thakar, learned Counsel, appears for the Plaintiffs and submits that although this Court had allowed amendment and the amendment has been carried out, however, service of the amended copies of the proceedings are yet to be effected on the Defendant no. 7 and that some time be granted.

4. Let the service to the Defendant no.7 be effected by the next date and let an affidavit of service be filed with respect to the service to the said Defendant.

5. Mr.Gaikwad, learned Counsel, appears for the Defendant no.5 and submits that there is an Interim Application No.3744 of 2024 which is pending and although an ad-interim relief was granted on 20th December 2022, there was no direction to file reply. That, therefore, this Court permit filing of reply.

6. Let reply to the said application be filed within a period of three weeks with a copy to the other side. Rejoinder, in two weeks thereafter, with a copy to the other side.

7. Mr.Shrey Sancheti, learned Counsel, appears for the Defendant no.9 and submits that there are no reliefs claimed against the said Defendant.

8. List on **6th February 2025**.

IN PERSON APPLICATION (L) NO.33050 OF 2024

9. This Court is informed that the said application on behalf of the Defendant no.6 is pending. An officer of the department is before this Court and he submits that although a phone call was made to the party, who had made the application, however, the said party has failed to attend to the call.

10. Let the office of the Prothonotary and Senior Master address a written communication to the party in person to attend the office on a fixed date making it clear that if he does not attend on the fixed date, the Committee would dismiss the application.

(ABHAY AHUJA, J.)