

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

SUIT NO. 56 OF 2023

Ferzana Abdur Rehman Adam.... .. Plaintiff

Versus

Rahim Latif Kapadia.... .. Defendants

Before : D. B. Iswalkar
Accounts Officer,
I/c. Draft Decree Departement
High Court, Bombay
Date : 9th April, 2026

Present :

Mr. Nayan Mahar i/b. M/s. Desai & Diwanji, Advocate for Plaintiff.
No other Appearance.

CALLED FOR SETTLEMENT OF DRAFT DECREE :

1. This is an adjourned matter for the purpose of settlement of the Draft Decree.
2. Mr. Nayan Mahar, learned Advocate for the Plaintiff submits that, due and proper service of process has been effected upon all the Defendants in the present matter. In particular, with regard to Defendant No. 5, service was duly carried out through the Advocate on record, Mr. Vaibhav Gaikwad. The said service was effected by way of hand delivery on 16th December, 2025. At the time of such delivery, acknowledgment of receipt was obtained by securing the signature of the receiving party on the office copy.
3. Despite service of the Draft Decree upon record, it is observed that the Defendants have not appeared in the matter today. In particular, Defendant No. 5 has consistently failed to appear, not only on the present date but also on earlier occasions when the matter was listed.

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4. During the process of settling the draft decree, it was observed that the draft decree is not in consonance with the order. It was submitted that certain corrections are required to be carried out in the Draft Decree. In view of the same, the learned Advocate for the Plaintiff requested that the matter be adjourned to enable the parties to check and incorporate the necessary corrections and place a revised draft on record. Considering the submission made and the nature of the corrections sought, the request for adjournment was found to be reasonable. Accordingly, the same is granted.

5. It is directed that the Draft Decree shall be taken up for consideration only after a fresh draft is filed by the learned Advocate for the Plaintiff.

6. In view of the above, the present matter is adjourned to **18th April, 2026 at 11:30 a.m.**

Accounts Officer
I/c. Draft Decree Department