

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT NO.56 OF 2023
WITH
INTERIM APPLICATION (L) NO.32389 OF 2022

Ferzana Abdur Rehman Adam and others ... Plaintiffs / Applicants

Vs.

Rahim Latif Kapadia and others ... Defendants

Mr. Simil Purohit a/w. Mr. Akshay Doctor, Mr. Sahil H. and Mr. Dhruv Dandekar
i/b. Desai & Diwanji for Plaintiffs.

Mr. Abhijit Kulkarni for Defendant Nos.1 to 4.

Mr. Vaibhav Gaikwad for Defendant No.5.

Mr. Abdul Aziz Abdul Latif Kapadia, Defendant No.6 in person.

Mr. Shrey Sancheti a/w. Mr. Parshva J. Shah for Defendant No.9.

CORAM : MANISH PITALE, J.

DATE : OCTOBER 26, 2023

P.C. :

. This Court, in the order passed yesterday, recorded that an affidavit was tendered on behalf of defendant Nos.1 to 4 before this Court stating that the said defendants intend to cancel two conveyance deeds, both dated 31.03.2022, pertaining to CTS Nos.828, 829/3 and 1045, so that prayer clauses (e), (f), (g) and (l) in the suit can be worked out.

2. The copies of the affidavit were served on the learned counsel appearing for the plaintiffs and the other defendants.

3. Today, the learned counsel appearing for the plaintiffs submits that this Court may permit defendant Nos.1 to 4 and 5 to take immediate steps for execution of the cancellation of the conveyance deeds so the said conveyance deeds are cancelled and further orders can be passed by this Court. The plaintiffs expressed their anxiety about defendant No.5

abiding by the statement made on behalf of defendant Nos.1 to 4 in the said affidavit.

4. In these circumstances, it is directed that defendant Nos.1 to 4 and 5 shall take steps forthwith in terms of the affidavit placed before this Court for cancelling the aforesaid conveyance deeds dated 31.03.2022 and to place the cancellation deed before this Court on the next date of hearing.

5. List for further consideration on 01.12.2023.

6. It is clarified that the order dated 20.02.2022 continues to operate.

(MANISH PITALE, J.)

Minal Parab