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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION (L) NO. 34839 OF 2024
IN

INTERIM APPLICATION (L) NO. 6080 OF 2021

Samir N. Bhojwani

...Applicant

Versus

Zodiac Developers Private Limited

...Respondent

ALONGWITH
COMMERCIAL ARBITRATION PETITION NO. 58 OF 2022
ALONGWITH
INTERIM APPLICATION (L) NO. 6080 OF 2021
ALONGWITH
INTERIM APPLICATION (L) NO. 4422 OF 2021
ALONGWITH
INTERIM APPLICATION (L) NO. 36333 OF 2024
ALONGWITH
INTERIM APPLICATION (L) NO. 36324 OF 2024
ALONGWITH
INTERIM APPLICATION (L) NO. 36296 OF 2024
ALONGWITH
INTERIM APPLICATION (L) NO. 36017 OF 2024
ALONGWITH
INTERIM APPLICATION (L) NO. 34186 OF 2024
ALONGWITH
INTERIM APPLICATION (L) NO. 36365 OF 2024
ALONGWITH
INTERIM APPLICATION (L) NO. 36345 OF 2024
ALONGWITH
INTERIM APPLICATION (L) NO. 35661 OF 2024

Mr.Karl Tamboly, a/w Mr. Parimal K. Shroff, Mr. D.V. Deokar and Mr. D. Parikh i/b M/s. Parimal K. Shroff & Co., for the Applicants.

Mr.C.Nageshwaran, a/w Mr. Peshwan Jehangir, Roselin Alex and Ishrita Bagchi i/b Khaitan & Co., for Original Petitioner.

Mr.Tanmay R. Sangani, i/b P.D. Jain & Co., for Additional Respondent No.2 in IAL/35661/2024 and IAL/6080/2021.

Mr.Abbhishek Samant, a/w Mr. Paresh Chandiramani, for Respondent No.5 in IAL/34839 of 2024.

Ms.Dhanashree Hublikar, i/b YMK Legal for Additional Respondent No.2 in IAL/36296/2024 and IAL/36333/2024.

Mr.Pranesh, Additional Respondent No.2 in IAL/36296/ 2024, IAL/36333/2024, IAL/36017/2024 and for Additional Respondent Nos. 2 and 3 in IAL/35561/2024.

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE: JANUARY 14, 2025

PC :

1. These Interim Applications relate to different flats in the same building, and are covered by an order dated April 26, 2023 passed by the Learned Single Judge of this Court.

2. It is the case of the Applicant that the arrangement set out in the aforesaid order has been flouted in respect of nine different flats, necessitating the filing of nine different applications. Multiple third-party rights are purported to have been created over the different flats covered by the different Interim Applications

3. Today, when the matter is called out, some of the respondents have submitted that they are yet to file their reply, or that after amendments to the Interim Applications had been allowed, they would like to file their reply. Be that as it may, all Respondents are given a last chance to file their reply to the respective Interim Application not later than ***January 23, 2025***. Rejoinder, if any, shall be filed not later than ***January 30, 2025***.

4. All the Interim Applications shall be taken up for final hearing and disposal on ***January 31, 2025***.
5. On that day, the Court would conduct a ***Case Management Hearing*** for the main Petition, and appropriate directions will be given on that day. A chart tendered by Mr. Tamboly summarizing contents of each of the Interim Applications is taken on record.
6. It is agreed by the parties that Interim Application (L) No. 34839 of 2024 shall be treated as a lead Interim Application for consideration of the matter on January 31, 2025.
7. Needless to say, since Respondents are seeking time to file a reply, it is expected of them, that the reply should be cogent and set out the precise sequence of events and the dates of their respective actions, with particular regard to when rights were created over the property, which actions, according to them does not constitute flouting of the order passed by the Learned Single Judge on April 26, 2023.
8. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]