

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

**INTERIM APPLICATION (L) NO. 3112 OF 2023
IN
COMMERCIAL ADMIRALTY SUIT NO. 18 OF 2022**

THE BOARD OF MUMBAI PORT AUTHORITY)...APPLICANT

IN THE MATTER BETWEEN

THE BOARD OF MUMBAI PORT AUTHORITY)...PLAINTIFF

V/s.

DLB NAND GAURAV AND OTHERS)...RESPONDENTS

**WITH
COMMERCIAL ADMIRALTY SUIT NO. 18 OF 2022
WITH
INTERIM APPLICATION NO. 707 OF 2023
IN
COMMERCIAL ADMIRALTY SUIT NO. 18 OF 2022
WITH
INTERIM APPLICATION NO. 107 OF 2023
IN
COMMERCIAL SUMMARY SUIT NO. 2 OF 2023**

Ms.Nina Motiwalla a/w. Ms.Janhavi Kandekar, Ms.Anjali Kotecha i/by
Motiwalla & Co., Advocate for the Plaintiff.

Ms.Meenakshi Pahuja i/by Ms.Apurva Mehta, Advocate for the
Defendant no.3.

Ms.Devyani Dhawale i/by Flavia Legal, Advocate for the Defendant
no.4.

Mr.Rishi Thakur a/w. Mr.Dhwani Gala, Advocate for the Defendant no.5
– IDBI Bank Ltd.

Mr.Bhupan Garud i/by Vidhii Partners, Advocate for the Applicant in
IA/107/2023 and for the Plaintiff in COMSS/2/2023.

CORAM : **ABHAY AHUJA, J.**

DATE : **31st JANUARY 2025**

PC. :

1. At the outset, Mr.Garud, learned Counsel, appears for the Plaintiff / Applicant in Interim Application No.107 of 2023 in Commercial Summary Suit No.2 of 2023 and submits that the Interim Application has been wrongly tagged and be de-tagged.

2. Let Interim Application No.107 of 2023 in Commercial Summary Suit No.2 of 2023 be de-tagged and be listed on **5th March 2025**.

3. Interim Application (Lodging) No.3112 of 2023 has been filed on behalf of the Plaintiff in the Commercial Admiralty Suit No.18 of 2022 seeking summary judgment. Ms.Motiwalla, learned Advocate appears for Mr.Ajay Fernandes and submits that he is in personal difficulty today and therefore the matter be suitably adjourned.

4. Interim Application No.707 of 2023 has been filed by the Defendant no.4 for determination of priorities and the learned Counsel appearing for the Applicant submits that she is led by Mr.Rahul Narichania, learned Senior Counsel, who is also in personal difficulty today and that this Court suitably adjourn the matter.

5. At the request of the learned Counsel appearing for the Applicants, list the two Interim Applications on **7th March 2025**.

(ABHAY AHUJA, J.)