

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

**INTERIM APPLICATION NO. 8185 OF 2025
IN
SUIT NO. 54 OF 2014**

HGP Community Pvt. Ltd. ...Applicant
in the matter between
Eternia Cooperative Housing Society Ltd. & Ors. ...Plaintiffs
V/s.
Lake View Developers Pvt. Ltd. and Ors. ...Defendants

Mr. Pravin Samdhani, Senior Advocate i/b Trilegal for the Applicant.
Mr. Rohit Kapadia, through VC with Mr. sanjay Jain, Mr. Nishant Shashidharan, Mr. Saura Ghosh, Mr. Anirban Sen, Mr. Jash Shah and Mr. Aditya Trivedi i/b Indus Law for the Plaintiffs/Respondents No. 1 to 7.

Mr. Jamsheed Master with Ms. Devanshi Bavisi i/b Desai Billimoria & Associates for the Defendant No. 12.

Mr. Akshay Shinde for the Respondent No. 13.

CORAM : ABHAY AHUJA, J.
DATE : 13th JANUARY, 2026

PC. :

1. This Interim Application seeks direction to the Prothonotary & Senior Master of this Court to lodge the Suit as a fresh proceeding and assign a fresh lodging number of the year.

2. Mr. Samdhani, learned Senior Counsel appears for the Applicant and submits that by order of the Bombay City Civil Court in Chamber Summons No. 1956 of 2024, the Plaint has been returned for presentation before this Court as the Court of proper jurisdiction, however, the Registry has numbered the Suit as on the number as was

originally filed in the High Court before the Suit was transferred to the Bombay City Civil Court in view of the Notification dated 22nd January, 2024 and therefore that in view of the return of the Plaint under Order VII Rule 10 of the Code of Civil Procedure, 1908 (the “CPC”) to be presented before the Court having appropriate jurisdiction, the Suit needs to be numbered fresh as of the urgent year.

3. Mr. Kapadia, learned Senior Counsel appearing for the Respondents submits that when the order in the Chamber Summons returning the Plaint was passed, there was an interim order running in favour of the Plaintiff and that this Court may continue the same under Section 151 of the Code of Civil Procedure, 1908, however, submitting that some time be granted to file reply to the Application.

4. Mr. Master, learned Counsel appearing for the Respondent No. 12 also seeks to file reply.

5. Let reply(ies) be filed within a period of two weeks with copy to the other side. Rejoinder(s) in two weeks thereafter with copy to the other side.

6. List the Interim Application for hearing on **12th February, 2026.**

(ABHAY AHUJA, J.)

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