

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****NOTICE OF MOTION NO. 2962 OF 2007
IN
SUIT NO. 2235 OF 2007**

Goldmine Constructions Pvt.Ltd. ...Plaintiff
vs.
Mohd.Hussein Ahmed Miya Merchant & Anr.Defendants

WITH

**NOTICE OF MOTION NO. 3848 OF 2007
IN
SUIT NO. 2815 OF 2007**

Nowroji Maneckji Wadia Charities ...Plaintiff
vs.
Goldmine Constructions Pvt.Ltd. & Anr.Defendants

Mr.Dinyar Madon, Senior Advocate with Kingshuk Banerjee and Dhruv Joshi i/b.
Wadia Ghandy & Co. for Plaintiff in Suit 2815/2007 and for Defendant No.2 in
Suit 2235/2007.
Mr.Mayur Khandeparkar i/b. S.B. Legal for Plaintiff in Suit 2235/2007 and for
Defendant No.1 in Suit 2815/2007.

CORAM : S.C. GUPTE, J.

7 DECEMBER 2015

P.C. :

There is a status quo order in the two notices of motion herein in the two cross suits. Learned Counsel for the parties are in agreement that if the suits are expedited and the trials can be ordered, the status quo order passed by way of an ad-interim order can continue pending the hearing and final disposal of the two suits. It is ordered, accordingly.

2 In both the suits, the written statements are already filed. The parties are, however, permitted to file additional written statements, if any, within a period of four weeks from today, considering the developments during the

pendency of the suits. Place the suits for issues on 8 January 2016. Both the parties are also directed to file their respective compilations before the next date. S.O. to 8 January 2016 for issues.

3 Defendant No.1 in Suit No.2235 of 2007, who is also a Defendant (Defendant No.2) in Suit No.2815 of 2007, has not filed any written statement. He does not appear today. The suit shall proceed exparte against him on the next occasion.

4 The ad-interim status quo order passed on 3 September 2007 and continued till date, is continued as interim order pending the hearing and final disposal of both the suits, which are to be heard together.

5 The notices of motion in both the suits are, accordingly, disposed of.

(S.C. Gupte, J.)