

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

**NOTICE OF MOTION NO.3082 OF 2009
WITH
NOTICE OF MOTION NO.4677 OF 2007
WITH
NOTICE OF MOTION NO.4034 OF 2008
IN
SUIT NO.2000 OF 2006**

Rizvi Land Developers Pvt. Ltd.Plaintiff

V/s.

Housing Development &
Improvement India Pvt. Ltd.Defendant

Ms. Mansi Patel i/b. M/s. Udwadia Udeshi & Argus Partners for the plaintiff.

Mr. Sanmish Gala i/b. M/s. Markand Gandhi & Co. for the defendant no.1.

Mr. Anirudh Hariani a/w. Ms. A. Gupte i/b. Hariani & Co. for the defendant no.5.

**CORAM : K.R.SHRIRAM,J
DATE : 4th AUGUST, 2016**

P.C.:-

NOTICE OF MOTION NO.3082 OF 2009

1 I am told that when the plaintiff/applicant moved for ad-interim relief in this notice of motion, the court declined to grant any ad-interim relief. For 07 years the parties have lived with the same situation. There is no change in circumstances between 2009 and today, which warrants any consideration on the reliefs sought in the notice of motion.

2 The notice of motion is, therefore, dismissed.

3 The counsel for the defendant no.1 and defendant no.5 state that they will file their written statement and serve a copy thereof within four weeks from today.

4 The counsel for the plaintiff is unsure as to whether the other defendants have been served the writ of summons or not. The counsel for the plaintiff requests that the matter be kept tomorrow, i.e., on 5th August, 2016 to answer whether the writ of summons has been served or not on the other defendants.

5 The defendant nos.1 and 5 are hereby granted four weeks time to file their written statement and serve a copy thereof.

6 As regards the other defendants and other notices of motions, stand over to 5th August, 2016 for directions.

(K.R.SHRIRAM,J)