

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

**NOTICE OF MOTION NO. 3023 OF 2008
WITH
NOTICE OF MOTION NO. 473 OF 2014
IN
SUIT NO. 2570 OF 2008**

Suresh Hamermal Kothari

.. Plaintiff

Vs.

Ajit Danmal Jain & Ors.

.. Defendants

Mr.Chirag Balsara i/b Chitnis Vaithy & Co. for plaintiff.

Mr.Jaydeep Raut i/b M/s. Vinod Mistry & Co. for defendant nos.1 to 6.

Mr.Surel Shah i/b Sanjay Gawade for defendant nos.8, 9 & 10.

Ms.Neha Choksi i/b U.M. Jhaveri for defendant no.11.

CORAM : K.R.SHRIRAM, J.

DATE : 16TH JUNE, 2016

P.C.

NOTICE OF MOTION NO. 3023 OF 2008

1 On 1st September 2008 when the notice of motion was taken up for ad-interim relief, the counsel appearing for defendant no.8 to 10 submitted that the defendant nos.8 to 10 shall not create any third party rights or alienate the suit property or part with the possession of the suit property or dispose of the suit property or put up any construction on the suit property. This statement was accepted by the Court. The statement has been extended from time to time.

2 Today, the counsel for defendant nos.8 to 10 states that this statement

made in the notice of motion could be extended upto disposal of the suit and the notice of motion may accordingly disposed.

3 In view of the above, the statement as recorded on 1st September 2008 and extended from time to time, to continue upto the disposal of the suit.

The notice of motion accordingly stands disposed.

4 The pleadings in the suit are complete. Therefore, on or before 27th June 2016 all parties to file their respective affidavits of documents and give inspection of their documents to the other side on or before 4th July 2016. By 11th July 2016, the parties to exchange their statements of admission and denial with reasons for denial.

5 Stand over to 18th July 2016 for issues.

6 This suit is filed in the year 2008. Parties are directed to strictly and meticulously comply with these directions failing which the parties will be put to terms.

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7 In view of the above order passed in Notice of Motion No.3023 of 2008, this notice of motion does not survive and is accordingly disposed.

(K.R. SHRIRAM, J.)