

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

**NOTICE OF MOTION NO.3422 OF 2009
IN
SUIT NO.2420 OF 2009**

Arun N. Purandare

....Plaintiff

V/s.

Dr. N.A. Purandare Family Trust & Ors.

....Defendants

Mr. Madhav J. Jamdar for the plaintiff.

Ms. Prachi Jatke a/w. Ms. Priyanka Gidh & Ms. Vijayalakshmi Kulkarni
i/b. M/s. Nanu Hormasjee & Co. for the defendant nos.1,2,3 and 5.

CORAM : K.R.SHRIRAM,J

DATE : 7th JULY, 2016

P.C.:-

1 In the order dated 11th February, 2010 it is recorded that the learned Senior Counsel appearing for the defendant nos.1,2,3 and 5 made a statement that they are not intending to create any third party rights and interest in the suit premises.

2 Ms. Jatke, counsel appearing for the defendant nos.1,2,3 and 5 states that even today they do not wish to create any third party rights and interest in the suit premises. Statement accepted.

3 If at all defendant nos.1,2,3 and 5 wish to create any third party rights they shall give not less than six weeks notice to the

plaintiff of their intention to create any third party rights, at which stage the plaintiff, if advised may apply for appropriate reliefs.

4 In view of the above, the notice of motion stands disposed.

5 On or before 22nd July, 2016 the parties to file their respective affidavit of documents and also give inspection of the documents. On or before 30th July, 2016 parties to file and exchange their statement of admission and denial with reasons for denial.

6 Stand over to 8th August, 2016 for issues.

(K.R.SHRIRAM,J)