

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

**NOTICE OF MOTION NO.3799 OF 2009
IN
SUIT NO.2777 OF 2009**

Shantilal & Bhansali Pvt. Ltd.Plaintiff

V/s.

Bunts Sangha Bombay & Ors.Defendants

Mr. Darius F. Dalal a/w. Mr. A.D. Bagwe i/b. Jehangir Gulabbhai & Billimoria & Daruwalla for the plaintiff.

Mr. M.M. Nair i/b. Shetty, Sethna and Associates for the defendant nos.1 to 7.

CORAM : K.R.SHRIRAM,J

DATE : 9th JUNE, 2016

P.C.:-

1 When this notice of motion was taken up for hearing for ad-interim relief on 27th November, 2009, statement was made on behalf of the defendants that the suit premises will not be transferred or third party interest will not be created without giving two weeks' notice to the plaintiff's advocate. In view of the statement made, no ad-interim order was passed. The plaintiff was also given liberty to approach this court in the event of the aforesaid notice by the defendants.

2 The defendants are directed to give minimum two weeks' notice to the plaintiff's advocate incase they decide to transfer or

create third party interest in the suit premises. At that stage, it will be open for the plaintiff to apply to the court for appropriate relief.

3 The notice of motion accordingly stands disposed. The counsel for the plaintiff states that the defendants have filed their written statement.

4 Therefore, on or before 25th June, 2016 parties to file and exchange their respective affidavit of documents. On or before 9th July, 2016 parties to give inspection of their respective documents to the other side. On or before 16th July, 2016 parties to file and exchange their statement of admission and denial with reasons for denial.

5 Stand over to 25th July, 2016 for issues.

(K.R.SHRIRAM,J)