

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

**NOTICE OF MOTION NO.4311 OF 2008  
IN  
SUIT NO.3411 OF 2008**

Siddesh Construction Pvt. Ltd. ....Plaintiff

V/s.

Manik U. Nikam & Ors. ....Defendants

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Mr. Sureshkumar J. Panicker a/w. Ms. Bhavika A. Pitale for the plaintiff.

Mr. P.M. Shah for the defendant nos.5 & 7.

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**CORAM : K.R.SHRIRAM,J  
DATE : 30<sup>th</sup> JUNE, 2016**

**P.C.:-**

1           At the ad-interim stage when the matter was listed on 29<sup>th</sup> January, 2009 more than 7 years ago, the defendant nos.1 to 4 made a statement that his clients will not create third party interest in the suit flat and they will not part with possession of the suit flat till disposal of the notice of motion.

2           Today nobody is present for the defendant nos.1 to 4. I am also informed that the defendants have filed their written statement and the suit is ripe for hearing. The counsel for the plaintiff and the counsel for the defendant nos.5 to 7 state that by consent, the statement recorded on 29<sup>th</sup> January, 2009 be continued.

3           Therefore, the statement recorded on 29<sup>th</sup> January, 2009 to continue until the disposal of the suit. The notice of motion accordingly stands disposed.

4           As the pleadings are completed, the parties on or before 15<sup>th</sup> July, 2016 to file their respective affidavit of documents. Inspection to be given and statement of admission and denial with reasons of denial to be filed and exchanged on or before 25<sup>th</sup> July, 2016.

5           Stand over to 1<sup>st</sup> August, 2016 for issues.

**(K.R.SHRIRAM,J)**