

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION (L) NO. 3667 OF 2015

IN

SUIT (L) NO. 1364 OF 2015

Siddivinayak Enterprises ... Applicant / Plaintiff

Versus

Shivkumari Satishkumar Gupta & Ors. ... Defendants

Mr. Dharam Juman i a/w. Ms. Ishita Shah i/b. Mr. Kiran Mohite & Mr. Amol Savle
for the Applicant / Plaintiff.

Mr. R.B. Singh i/b. R.B. Singh and Associates for the Defendants.

CORAM : S.J. KATHAWALLA, J.

DATED : 8TH JANUARY, 2016

P.C.

1. The learned Advocate appearing for the Defendants on instructions states that Mr. Ajit J. Gupta is in possession of the Suit property as a Licensee. Mr. Gupta has also filed RAD Suit No. 134 of 2009 against the Defendants before the Small Causes Court, Mumbai for a declaration that he is a tenant of the Defendants in respect of the Suit property. The Defendants through their Advocate undertake that pending the hearing and final disposal of the Suit, the Defendants shall not sell, alienate, encumber, part with possession and / or create any third party rights in respect of the Suit property. The Defendants through their Advocate further undertake that in the event of the Defendants being desirous of settling their disputes with Mr. Ajit J. Gupta including RAD Suit No. 134 of 2009, they shall before executing any documents and / or obtaining any orders from any Court of Law inform this Court after giving written notice to the Advocate for the Plaintiff as

well as the Plaintiff. The undertakings are accepted.

2. In view of the above undertakings of the Defendants, the above Notice of Motion is disposed of by consent of the parties.

(S.J.KATHAWALLA, J.)