

(NMS 141 of 2014)

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

NOTICE OF MOTION No. 141 OF 2014

IN

SUIT No. 1440 OF 2008

Mr. Indraprakash Murarka

...Applicant

In the matter between

Mr. Pavankumar Sanwarmal & Ors.

...Plaintiffs

Vs.

Mr. Indraprakash Murarka and Anr.

...Defendants

Mr. Chetan Kapadia a/w. Mr. Rihal Kazi i/b. M & M Legal Ventures
for Plaintiffs

Mr. Dipesh Siroya for Defendant No.1

CORAM : K.R. SHRIRAM, J.

DATE : JULY 10, 2017

P.C. :

1. Mr. Siroya for Defendant No.1 submits that notice of motion has been taken out on the basis that the Plaintiffs have no cause of action against Defendant No.1 -Applicant and the notice of motion was adjourned to be heard along with suit on 27th April, 2016.

2. Mr. Siroya for Defendant No.1 submits that the said order

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could be modified if the Court reserves the right of Defendant No.1 to raise the issue along with the other issues as to whether the Plaintiffs have any cause of action against Defendant No.1.

3. Mr. Kapadia for Plaintiffs has no objection.

4. Therefore, notice of motion is disposed. As and when the issues in the suit get settled, Defendant No.1 may point out the Court about this order and request the Court to frame issue whether Plaintiffs have any cause of action against Defendant No.1.

[K.R. SHRIRAM, J.]

Vaishali Tikam