

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

NOTICE OF MOTION NO.325 OF 2014

IN

SUIT NO.228 OF 2014

Majas Land Development Corporation

....Applicant/Plaintiff

Vs.

Santoshkumar R. Mishra and Ors.

....Defendants

Mr. Kishore Jain i/b. Ms. Shweta Jain for applicant/plaintiff.

Ms. Anita Castellino i/b. Bruno Castellino for defendant nos.2,3 and 4.

Ms. Geeta Shastri, AGP for defendant nos.5,6 and 7.

CORAM : K.R.SHRIRAM, J.

DATE : 12th JUNE, 2017

PC.:

1 Mr. Jain and Ms. Castellino state that the order of status quo passed on 18th March, 2014 be confirmed as order in the notice of motion and the notice of motion be disposed.

 Accordingly the order passed on 18th March, 2014 is confirmed as order in the notice of motion and the notice of motion stands disposed.

2 Mr. Jain, counsel for plaintiff states that defendant no.1 has been served but has not filed any written statement. Defendant nos.2 to 4, who were the contesting defendants, have filed written statement. Mr. Jain further states that defendant nos.5,6 and 7 are only formal parties and though interim reliefs were sought, no final reliefs have been sought. The orders passed have been complied with. Mr. Jain states that even if defendant nos.5,6 and 7 do not file written statement, the suit can proceed

since no substantive relief is claimed against them.

3 In the circumstances, suit be listed on 11th July, 2017 for issues on which date parties to come with agreed draft issues and a separate list of issues on which they are unable to agree.

4 Ms. Castellino, counsel for defendant nos.2, 3 and 4 states that certain facts have developed after the written statement was filed which has come to their knowledge and that require to be brought on record by filing additional written statement. Mr. Jain has no objection.

5 Therefore, leave to file additional written statement to defendant nos.2,3 and 4 is granted. Additional written statement to be filed and copy served on or before 30th June, 2017. Should defendant nos.5,6 and 7 wish to file written statement, the same to be filed and copy served by 30th June, 2017.

(K.R. SHRIRAM, J.)