

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

**NOTICE OF MOTION NO. 408 OF 2012
WITH
NOTICE OF MOTION NO. 1286 OF 2013
WITH
NOTICE OF MOTION NO. 1633 OF 2013
WITH
NOTICE OF MOTION NO. 1202 OF 2015
IN
SUIT NO. 396 OF 2012**

Gada Estate Pvt. Ltd.	..Applicant
In the matter of :	
Gada Estate Pvt. Ltd.	.. Plaintiff
Vs.	
Navin Bachubhai Parekh and anr.	.. Defendants

Mr. S. N. Vaishnav along with Mr. P. Mishra i/b. M/s. N. N. Vaishnawa and co. for plaintiff.

Ms. Prachi Khandge i/b. M. P. Vashi and Associates for defendant No.1.

Mr. Snehal Shah along with Mr. Zain Mookhi and Ms. Aditi Bhat i/b. Y. R. Shah for defendant No.2.

**CORAM : K.R.SHRIRAM, J.
DATE : 6TH MARCH, 2017**

P.C.

1 The counsel appearing for the plaintiff and the counsel appearing for the defendants agree that both the plaintiff and the defendants shall maintain status-quo.

2 Shri Shah for defendant no.2 states that defendants are collecting the rent in the suit premises and every six months they will render accounts to the plaintiff until the disposal of the suit. Shri Vaishnav for the plaintiff states that there are certain issues in the suit premises and if any other party is able to get someone to occupy those premises on leave and licence basis, they should be permitted to approach the Court for necessary directions. Shri Shah is agreeable to this arrangement.

3 In the circumstances the following directions are passed :-

- (a) Parties shall maintain status-quo with regard to the transfer of tenancy.
- (b) The defendants shall render accounts of the rent of the leave and licence of the suit premises that they are collecting and give a copy of those accounts every six months.
- (c) If any of the room in the building is to be given on the leave and licence/tenancy basis, the parties are at liberty to approach the Court for necessary orders after giving five days notice to the other parties.

4 The notices of motions listed today, in view of the above order, stand

disposed.

5 Defendant No.1 has filed the written statement. Since this is the suit of the year 2012, as and by way of last chance, defendant no.2 is given time upto and including 17th March 2017 to file and serve a copy of their written statement.

6 The suit be listed on 4th April 2017 for issues.

In the meanwhile, parties to file their respective affidavits of documents and also complete discovery and inspection.

(K.R. SHRIRAM, J.)