

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

**NOTICE OF MOTION NO. 382 OF 2015  
IN  
SUIT NO. 190 OF 2015**

Amit Shankarlal Bhalotia .. Plaintiff/Applicant  
Vs.  
Arun Kumar Bhalotia .. Defendant

Mr.Nimay Dave a/w. Mr.Durgesh Khanapurkar i/b Juris Corp for plaintiff.

Ms.Smita S. Jagtap i/b Shabana F. Sothe for defendant.

Mr.Laxman Mandgundi-Clerk/representative of Court Receiver present.

**CORAM : K.R.SHRIRAM, J.  
DATE : 27<sup>TH</sup> APRIL, 2017**

**P.C.**

1 On 19<sup>th</sup> December 2014, this Court was pleased to pass ad-interim order. Paragraph 3 of the order reads as under :

*3 Ms. Sothe, learned Advocate for the Defendant, is instructed to make a statement and to give an undertaking to the Court that the Defendant will not till further orders dispose of, transfer, encumber, alienate, part with possession or create any third party rights in respect of this flat or any part thereof. Unfortunately, the Defendant himself is unable to remain present in Court today. It is only for this reason that it is not possible to accept this undertaking. As a result, there will be an injunction in these terms against the Defendant.*

2 Mr.Dave, for the plaintiff/applicant, on instructions, states that this ad-interim order can be confirmed as order in the notice of motion. Since it is recorded that the counsel for the defendant had made a statement, the order

dated 19<sup>th</sup> December 2014 is confirmed as order in the notice of motion and notice of motion is accordingly disposed.

3 Pleadings in the suit are complete. The suit be listed for issues on 13<sup>th</sup> June 2017. In the meanwhile, parties to file their respective affidavits of documents, complete discovery and inspection and also exchange statements of admission and denial with reasons for denial.

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