

Arun

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**ORDINARY ORIGINAL CIVIL JURISDICTION**  
**NOTICE OF MOTION NO. 1735 OF 2017**  
**IN**  
**SUIT NO. 2729 OF 2007**

|                                 |               |
|---------------------------------|---------------|
| Dr Kirit Chaturbhai Patel & Anr | ...Applicants |
| <i>In the matter between</i>    |               |
| Dena Bank                       | ...Plaintiff  |
| <i>Versus</i>                   |               |
| Dr Kirit Chaturbhai Patel & Anr | ...Defendants |

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**Mr Sumit Raghani, i/b PDS Legal, for the Plaintiff.**  
**Navaneetha Krishnan T, for Defendants Nos. 1 & 2.**

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**CORAM: G.S. PATEL, J**  
**DATED: 17th July 2018**

**PC:-**

1. The Notice of Motion is by the Defendants *inter alia* seeking order against the Plaintiff and its directors not only in contempt but for recovery of amount of over Rs.50 lakhs with interest. This is on the basis that there has been allegedly a breach by the Plaintiff of an order of 22nd October 2007 (AM Khanwilkar J, as he then was), a copy of which is at page 22.

2. On behalf of the Plaintiffs it is pointed out that by a conditional order of 24th October 2016, the suit itself has been dismissed without further reference to the Court.
3. The Notice of Motion will not lie. Liberty to the Defendants to adopt appropriate proceedings in respect of the claim(s) now made.
4. The Notice of Motion is disposed of in these terms. No costs.

**(G. S. PATEL, J)**