

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

**CHAMBER SUMMONS NO.1805 OF 2016
IN
SUIT NO.179 OF 2014
WITH
SUIT NO.179 OF 2014
WITH
COURT RECEIVER REPORT NO.485 OF 2015
WITH
CHAMBER SUMMONS NO.1805 OF 2016
WITH
NOTICE OF MOTION NO.562 OF 2017
IN
NOTICE OF MOTION NO.424 OF 2014
IN
SUIT NO.179 OF 2014**

Dr. (Mrs.) Shaileja S. Paradkar & Others ... Plaintiffs
Versus
Surendra Balkrishna Panhalkar And Others ... Defendants
And
Vijaya Vasant Gharpur ... Applicant

.....

Mr. H.T. Pawar for the Applicant.
Prof. Rohini Dandekar for the Plaintiffs.
Mr. Menino F.Dias for Defendant No.4.
Mr. Mohit Arora a/w Aniket Ransubhe I/b Ajay Basutkar for Defendant
No.5.

....

CORAM : S.C.GUPTE, J.

DATE : 6 FEBRUARY 2018

P.C. :

Chamber Summons No.1805 of 2016

. Heard learned Counsel for the parties.

2 It is agreed that without prejudice to the rights and contentions of all the parties and keeping their arguments on merits open, the Applicant is joined as party defendant to the Suit. The Plaintiffs to carry out the amendment accordingly within a period of three weeks. All rights and contentions of the parties on merits on the case set out by the Applicant in the present chamber summons are kept open. The Chamber Summons is disposed of.

Notice of Motion No.562 of 2017

3 This Notice of Motion is taken out by the Plaintiffs/Applicants for restoration of their notice of motion, being Notice of Motion No.424 of 2014, by which they seek interim reliefs in the suit. For the reasons stated in the affidavit in support of the notice of motion, Notice of Motion No.562 of 2017 is allowed by setting aside the order of dismissal and restoring Notice of Motion No.424 of 2014.

4 Notice of Motion No.424 of 2014 to come up on board for hearing on 27 February 2018. In case any party wants to file any affidavit in reply to the notice of motion, same may be done latest by 26 February 2018.

(S.C. GUPTE, J.)