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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
NOTICE OF MOTION NO. 2318 OF 2018  
IN  
SUIT NO. 337 OF 2014**

|                                |              |
|--------------------------------|--------------|
| Mufaddal Burhanuddin Saifuddin | ...Applicant |
| <i>In the matter between</i>   |              |
| Taher Fakhruddin Saheb         | ...Plaintiff |
| <i>Versus</i>                  |              |
| Mufaddal Burhanuddin Saifuddin | ...Defendant |

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**Mr Anand Desai**, *with Mr Chirag Mody, Mr Samit Shukla, Mr Nausher Kohli & Mr Aman Kacheria, i/b M/s DSK Legal, for the Plaintiff.*

**Mr Iqbal Chagla, Senior Advocate**, *with Mr Fredun E DeVitre, Senior Advocate, Mr Pankaj Savant, Senior Advocate, Mr Juzer Shakir, Ms Azmin Irani, Mr Abeezar Faizullahbhoj, Mr Walter Lewis, Mr Shahren Pradhan, Mr Murtaza Kachwala & Mr Aashdin Chivalwala, i/b HSA Associates, for the Applicant/Defendant.*

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**CORAM: G.S. PATEL, J**  
**DATED: 27th November 2018**

**PC:-**

1. The Plaintiff is present in Court.

2. This is the Defendant's Notice of Motion for an anti-Suit injunction against the Plaintiff, who has filed Case No.2:18-cv-00043-BCW in the United States District Court for the District of Utah Central Division. That suit was filed in January 2018.

3. On instructions from the Plaintiff, Mr Desai states that the Suit in the Utah District Court will be unconditionally withdrawn by the end of the court working hours on 29th November 2018, and that the Plaintiff will instruct his attorneys in the United States to immediately make that application. This statement, made on behalf of the Plaintiff, is accepted as an undertaking to the Court.

4. The trial in this matter before me will proceed subject to that withdrawal being effected. However, it is clarified that such rights as are available to the Plaintiff in law after the final decision in the present suit in this Court are kept open and are unaffected by this order.

5. The Notice of Motion is disposed of in these terms with no order as to costs.

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