

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

**NOTICE OF MOTION NO.518 OF 2013
IN
SUIT NO.61 OF 2013
WITH
SUIT NO.61 OF 2013**

Navin Bachubhai Parekh ...Applicant

In the matter between :-

Navin Bachubhai Parekh ...Plaintiffs

Versus

Umakant Bachubhai Parekh and Ors. ...Defendants

.....

Ms Namik Shirke i/b. Mr. J.J. Thakkar for the Plaintiffs.

Ms Pamela Dalal i/b. Mr. M.M. Vashi for the Defendant No.2.

Mr. Satyan Vaishnav with Ms Nupur J. Mukharjee i/b. Mr. N.N. Vaishnav for the Defendant Nos.1, 3 to 6.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 4th APRIL, 2019.

P.C.:-

In the present notice of motion, the Plaintiffs have sought relief mainly against Defendant No.6.

2. The learned counsel for the Plaintiffs and the Defendant No.6 state that the notice of motion filed in Suit No.396 of 2012 has been disposed of by order dated 6/3/2017 based on the statement made by Plaintiff and the Defendant. They submit that the present

notice of motion can also be disposed of on similar terms.

3. Mr. Namik Shirke, the learned counsel for the Plaintiff and Mr. Satyan Vaishnav, the learned counsel for the Defendant No.6 under instructions from the respective parties have made the following statement:

(a) The Plaintiffs and the Defendant No.6 shall maintain status-quo with regard to the transfer of tenancy.

(b) If any of the room in the building is to be given on the leave and license /tenancy basis, the parties are at liberty to approach the Court for necessary orders after giving five days notice to the other parties.

The above statements are accepted as undertakings to the Court.

4. The notice of motion is disposed of in the light of the above statements.

5. Since the Suit No.396 of 2012 is between the same parties and in respect of the same property, the same shall be tagged with the Suit No.61 of 2013.

(SMT. ANUJA PRABHUDESSAI, J.)