

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

**NOTICE ON MOTION NO. 1931 OF 2011
IN
SUITS 1384 OF 2011**

Shashipal Shankar & Ors.

.. Petitioners/plaintiffs

VERSUS

Shoaib S. Merchant and 2 Ors.

.. Respondent/defendant

**ALONGWITH
NOTICE OF MOTION NO.1179/2017
ALONGWITH
NOTICE OF MOTION NO. 679 OF 2017
ALONGWITH
NOTICE OF MOTION NO. 1058 OF 2018
ALONGWITH
NOTICE OF MOTION NO.1121 OF 2018
ALONGWITH
CHAMBER SUMMONS NO.1375 OF 2018**

Mr. Nilesh Modi, A/W. Mr. Drishti Modi, I/B. Rustamji & Ginwala
for the plaintiffs in S. 1348/2011 & for Applicant in NMS
No.1931/2011 and NMS 1058/2018

Mr. Roop M. Vasudeo for defendant Nos.3, 4 & 7 in Suit
No.1384/2011

Ms. Ferzana Behramkamdin a/w. Bharati Bhansali, i/b. FZB &
Associates for the defendant No.2 in Suit No.1384/2011 & for
the applicant in CHS No.1375/2018.

**CORAM : A.K. MENON, J.
DATED : 5th SEPTEMBER, 2019.**

P.C. :

1. The Court receiver is already appointed in this

motion. The earlier orders passed in this motion shall continue as interim orders pending the suit.

2. Since receiver is already appointed in this motion Mr. Modi submits that motion No. 1058/2018 will not survive. He seeks a leave to withdraw that notice of motion.

3. Chamber summons No.1375/2018 is taken out by defendant No.2 seeking leave to file an additional written statement. None of the parties have any objection.

4. Accordingly, the following order is passed -

(i) Notice of Motion No. 1058 of 2018 is allowed to be withdrawn.

(ii) Order dated 6th February, 2017 is confirmed as the interim order in the suit. Notice of motion No.1931 of 2011 is disposed in the aforesaid terms.

(iii) Chamber summons No. 1375 of 2018 made absolute in terms of prayer clause (a). Additional written statement to be filed within two weeks. Copies to be served forthwith thereafter.

(iv) Stand over to 25.09.2019 for hearing on the remaining Notices of motion.

(A.K. MENON, J.)