

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

CHAMBER SUMMONS NO.840 OF 2018

IN

COMMERCIAL SUIT NO.1301 OF 2018

Mukesh Rekhani)....Applicant

IN THE MATTER BETWEEN :

Ramnik Damji Gala & Ors.)....Plaintiffs

V/s.

Praveen Sankpal & Ors.)....Defendants

Mr.Roydon Fernandes I/by Siddhesh Suresh Bhole for plaintiffs.
Mr.Mayank Bagla a/w Ms.Pallavi Nimkar I/by AAK Legal for the
applicant.
None for defendants.

CORAM : K.R.SHRIRAM,J

DATE : 11.2.2019

P.C.:-

1. After the Chamber summons is heard for some time, counsel for plaintiffs stated that plaintiffs are only interested in a money decree of Rs.83,81,79,956/- along with interest @ 18% p.a. from defendants and plaintiffs are not interested in any property in this suit. Counsel also states that in the suit filed by the applicant

being Commercial Suit No.999 of 2018, in the Notice of Motion No.1738 of 2018, this Court by an order dated 12.9.2018 has directed the parties in this suit, if they are desirous of settling their dispute or obtain any consent order, to give 15 days clear notice to the Advocate for the applicant and therefore, the application also, in any event, is premature. Mr.Fernandes states plaintiffs will give 15 days notice as directed by this Court.

2. In view of this statement made, Mr.Bagla seeks leave to withdraw the Chamber summons with liberty to apply if need arises and whether application is maintainable or not, can be considered at the hearing of that application.

Chamber summons dismissed as withdrawn.

(K.R.SHRIRAM,J)