

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

NOTICE OF MOTION NO.495 OF 2017

IN

SUIT NO.164 OF 2017

Dr. Aliasgar Jawadwalal and Ors.

....Applicants/Plaintiffs

Vs.

Abadi (Bomi) Kershasp Dadachanji and Anr.

....Defendants

Mr. Sajid Shamim a/w. Mr. Murtuza Salewala I/b. Shamim and Company for applicants/plaintiffs.

Mr. Nigel Quraishy I/b. Mr. Abhijeet A. Joshi for defendant no.1.

Mr. Cyrus Ardeshir I/b. Ms. Annie Fernandes for defendant no.2.

CORAM : K.R.SHRIRAM, J.

DATE : 22nd JANUARY 2019

P.C.:

1 Mr. Ardeshir, on instructions from one Mr. Rajendra Rameshchandra Chaturvedi, Managing Director of defendant no.2 (who gave instructions over telephone to Ms. Annie Fernandes) states that defendants shall strictly comply with the bar chart dated 17th December 2018 and complete B Wing of Shreepati Coronet in all respect and hand over for fit outs by 1st November 2019. Mr. Ardeshir states that by tomorrow, i.e., 23rd January 2019, an undertaking in the form of an affidavit of Mr. Rajendra Rameshchandra Chaturvedi to this effect not only for himself but on behalf of defendant no.2 will be filed and copy served upon plaintiffs' advocates.

2 In view of the above, notice of motion disposed.

3 It is clarified that paragraph 4 of the order dated 10th October 2018 will continue to operate notwithstanding disposal of this notice of motion.

4 Liberty to apply.

(K.R. SHRIRAM, J.)