

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.11776 OF 2013

Pratapsinh Shoorji Vallabhdas and Ors.	.. Petitioners
Versus	
Maharashtra Steel Rolling Mills Pvt. Ltd.	.. Respondent

WITH
INTERIM APPLICATION NO. 20515 OF 2022
IN
WRIT PETITION NO. 11776 OF 2013

Dilipsinh Shoorji Vallabhdas and Ors.	.. Applicants
In the matter Between:	
Pratapsinh Shoorji Vallabhdas and Ors.	.. Petitioners
Versus	
Maharashtra Steel Rolling Mills Pvt. Ltd.	.. Respondent

WITH
CIVIL APPLICATION NO. 101 OF 2022
IN
WRIT PETITION NO. 11776 OF 2013

Aditya Pratapsinh Vallabhdas and Anr.	.. Applicants
In the matter Between:	
Pratapsinh Shoorji Vallabhdas and Ors.	.. Petitioners
Versus	
Maharashtra Steel Rolling Mills Pvt. Ltd.	.. Respondent

WITH
INTERIM APPLICATION NO. 20514 OF 2022
IN
WRIT PETITION NO. 11776 OF 2013

Matrix Fiscal Pvt. Ltd.	.. Applicant
In the matter Between:	
Pratapsinh Shoorji Vallabhdas (since deceased through LRs.) and Ors.	.. Petitioners
Versus	
Maharashtra Steel Rolling Mills Pvt. Ltd.	.. Respondent

**WITH
INTERIM APPLICATION NO. 20513 OF 2022
IN
WRIT PETITION NO. 11776 OF 2013**

Damyanti Virji (deceased through LR.) Shrushti
Shailesh Buch .. Applicant
In the matter Between:
Pratapsinh Shoorji Vallabhdas (deceased
through LR.)and Ors. .. Petitioners
Versus
Maharashtra Steel Rolling Mills Pvt. Ltd. .. Respondent

**WITH
INTERIM APPLICATION NO. 20512 OF 2022
IN
WRIT PETITION NO. 11776 OF 2013**

Pratapsinh S.Vallabhdas (deceased through
LRs.) Aditya Pratapsinh Shoorji and Ors. .. Applicants
In the matter Between:
Pratapsinh Shoorji Vallabhdas (since deceased)
through LR.-Dilipsinh Shoorji Vallabhdas & Ors. .. Petitioners
Versus
Maharashtra Steel Rolling Mills Pvt. Ltd. .. Respondent

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- Mr. Shailesh Poria i/by Mr. Vivek Kakade for Petitioners and for Applicants in I.A.20515/2022, I.A.20514/2022, I.A.20513/2022, I.A.20512/2022 and C.A. 101/2022
 - Ms. Nilima Chavan for Intervenor in I.A.No. 20514/2022 in WP 11776/2013
 - Mr. A. Chalila i/by Universal Legal for Respondent

CORAM : MILIND N. JADHAV, J.

DATE : DECEMBER 06, 2022.

P.C.:

1. Heard learned Advocates for the respective parties.
2. In this group of proceedings, the original Writ Petition No. 11776 of 2013 has been compromised and settled between the parties by virtue of consent terms filed in the month of October-2022.

3. Mr. Poria submitted that the consent terms have been kept in escrow for compliances to be carried out by the parties.

4. In view of the above, a joint request is made by learned Advocates today that Civil Application No. 101 of 2022 can be allowed to be withdrawn. However before passing any order it is informed that Petitioner No.1 and Petitioner No.3 have both expired on 06.05.2017 and 14.08.2019 during the interregnum.

5. Interim Application No. 20512 of 2022 is filed for bringing legal heirs of Petitioner No.1 whereas Interim Application No. 20513 of 2022 is filed for bringing legal heirs of Petitioner No. Petitioner No. 3 on record. Admittedly, there is a delay of 1985 days and 1155 days in preferring the said Interim Applications.

5.1. Perused the Interim Applications. For the reasons mentioned therein delay stands condoned and applications are allowed and disposed of in terms of prayer clause (b) in both the Interim Applications which read thus:

5.2. Prayer clause (b) of Interim Application No. 20512 of 2022 read as under:

“(b) that this Hon’ble Court be pleased to condone the delay of 1985 days in filing of the present Interim Application.”

5.3. Prayer clause (b) of Interim Application No. 20513 of 2022 reads as under:

“(b) that this Hon’ble Court be pleased to condone the delay of 1155 days in filing of the present Interim Application.”

5.4. In view of the above, necessary amendment shall be carried out within a period of one week from today.

5.5. Re-verification is dispensed with.

6. Subject to carrying out the above amendment, Civil Application No. 101 of 2022 is allowed to be withdrawn and disposed of.

7. Interim Application No. 20514 of 2022 is seeking impleadment of the Applicant company in the present Writ Petition as Respondent No.2. It is informed that the Applicant company is a signatory to consent terms.

7.1. In that view of the matter, Interim Application No. 20514 of 2022 for impleadment is allowed in terms of prayer clauses (c) and (d) which reads as under:"

“(c) that this Hon’ble Court be pleased to permit the Applicant to be jointed as Respondent No.2 to the present Petition;

(d) that the Petitioners herein be directed to amend the captioned Petition in terms of the Schedule-1 attached hereto;”

7.2. Amendment to be carried out within a period of one week from today.

7.3. Re-verification is dispensed with.

8. In so far as I.A. No. 20515 of 2022 is concerned, the same is filed for seeking injunction by the concerned parties in Writ Petition No. 11776 of 2013.

8.1. Learned Advocates jointly request the Court that true copy of the consent terms will have to be placed on record for seeking disposal of W.P. 11776 of 2013 and the above Interim Applications since at present the said consent terms are kept in escrow, they request that the Writ Petition be adjourned.

9. At their request, stand over to **20th December, 2022.**

[MILIND N. JADHAV, J.]

SONALI
SATISH
KILAJE

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by SONALI
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