

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

**INTERIM APPLICATION NO.2838 OF 2021**

**IN**

**COMMERCIAL SUIT NO.1057 OF 2019**

Anil Jain .. Applicant–Org.Plff. 1

*In the matter between*

Anil Jain and Anr. .. Plaintiffs

*Vs.*

Lokhandwala Kataria Construction Pvt. Ltd. and Ors. .. Defendants

*And*

Roshen Minocher Nentin and Ors. .. Respondents

**ALONG WITH**

**NOTICE OF MOTION NO.2004 OF 2019**

Anil Jain and Anr. .. Applicants–Plaintiffs

*Vs.*

Lokhandwala Kataria Construction Pvt. Ltd. .. Defendant

**ALONG WITH**

**NOTICE OF MOTION NO.2411 OF 2019**

Anil Jain and Anr. .. Applicants–Plaintiffs

*Vs.*

Lokhandwala Kataria Construction Pvt. Ltd. .. Defendant

*And*

Mohammed Abdulhussain Lokhandwala and Ors. .. Proposed Respondents

**ALONG WITH**

**INTERIM APPLICATION NO.2892 OF 2021**

**IN**

**SUIT NO.1108 OF 2019**

Indu Poddar .. Applicant–Plaintiff

*Vs.*

Lokhandwala Kataria Construction Pvt. Ltd. and Ors. .. Defendants

*And*

Roshen Minocher Nentin and Ors. .. Respondents

**ALONG WITH**  
**NOTICE OF MOTION NO.2112 OF 2019**

Indu Poddar .. Applicant-Plaintiff

Vs.

Lokhandwala Kataria Construction Pvt. Ltd. .. Defendant

**ALONG WITH**  
**NOTICE OF MOTION NO.2414 OF 2019**

Indu Poddar .. Applicant-Plaintiff

Vs.

Lokhandwala Kataria Construction Pvt. Ltd. .. Defendant

*And*

Mohammed Abdulhussain Lokhandwala and Ors. .. Proposed Respondents

Mr. Rushabh Sheth, with Mr. Sheroy M. Bodhanwalla and Ms. Sakshi Sharma, i/by M.S. Bodhanwalla and Co., for the Applicants-Plaintiffs.

Mr. Naseem Patrawala, i/by Patrawala & Co., for the Defendants.

Ms. Sonam Mhatre, with Mr. Vishal Jathar, i/by Dhaval Vussonji and Associates, for Proposed Defendant No.5.

**CORAM : A. K. MENON, J.**

**DATE : 28<sup>TH</sup> JUNE, 2022.**

**P.C. :**

1. On behalf of the applicants-plaintiffs, it is stated by learned counsel that he has instructions to withdraw Interim Application No.2838 of 2021 in Commercial Suit No.1057 of 2019 and Interim Application No.2892 of 2021 in Suit No.1108 of 2019 since the applicants-plaintiffs do not propose to implead respondent nos.6 to 14 as defendants in the Suits. Accordingly, he reserves liberty to file a fresh interim applications to seek impleadment of the directors of the defendants.

2. In view thereof, Interim Application No.2838 of 2021 in Commercial Suit

No.1057 of 2019 and Interim Application No.2892 of 2021 in Suit No.1108 of 2019 are disposed as withdrawn with liberty to file a fresh IA, if so advised.

3. Notices of Motion to be listed in accordance with its turn as per CIS.
4. Ad-interim relief granted vide order dated 17<sup>th</sup> June 2019, recording therein the statement made on behalf of the defendants, to continue till further orders.

(A.K. MENON, J.)