

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

**INTERIM APPLICATION NO.-3903 OF 2022
IN
SUIT NO. 561 OF 2013**

Perveez Amirali Tejani & Ors. ...Applicants/Org.
Plaintiffs

Vs.

Nasreen Iqbal & Ors. ...Defendants

**WITH
CHAMBER SUMMONS NO. 188 OF 2017
WITH
CHAMBER SUMMONS NO. 834 OF 2017
IN
SUIT NO. 834 OF 2016**

Azeem Shafique Jagani ...Applicant
Proposed Plaintiff

In the matter between

Mrs. Noorbanoo, wd/o. Mohammedali ...Plaintiff
Tejani

Vs.

Perveez A. Tejani & Ors. ...Defendants

Mr. Aditya Pimple a/w Mr. Ayaz Bilawala & Mr. Yogesh
Gaikwad i/b Ms. Bilawala & Co., for Applicants-Plaintiffs
Mr. A.L. Thakkar, Mr. Dipesh Siroya i/b M/s. Thakkar & Co.,
for Defendant No. 1b, 1c and 2.

CORAM: N. J. JAMADAR, J.

DATED : 24th NOVEMBER, 2022

PC:-

- 1.** Heard the learned Counsel for the parties.
- 2.** The learned Counsel for defendant No. 2 seeks leave to file an affidavit-in-reply.

Leave granted.

- 3.** Affidavit-in-reply be filed in the Registry during the course of the day.

4. The learned Counsel for defendant No. 2, without prejudice to the rights and contentions of defendant No.2, submits that the defendant No. 2 is willing to pay a sum of Rs.3,56,335/- towards the expenses incurred by the plaintiff for electricity charges for the Suit Flat since 6th August, 2017 till July, 2022.

5. The learned Counsel has handed over the cheques drawn for the said amount to the Counsel for the applicants-plaintiffs.

6. The learned Counsel for the applicants-plaintiffs submits that the plaintiffs are ready to accept the said amount without prejudice to the rights and contentions of the plaintiffs.

7. Statements made on behalf of the parties are accepted.

8. The learned Counsel for defendant No. 2 further submits that defendant No. 2 would also pay the electricity charges, for the period commencing from August, 2022 and onwards till the disposal of the suit. Statement is accepted.

9. The plaintiffs shall first pay the electricity charges and defendant No. 2 shall thereafter reimburse the electricity charges upon proof of payment, till the disposal of the suit.

10. The payment and acceptance of electricity charges shall be without prejudice to the rights and contentions of the parties.

11. The application stands disposed.

[N. J. JAMADAR, J.]