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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8512 OF 2024

M/s. Vertex Realtors and Anr.

.. Petitioners

Versus

Sumeet Pritamdas Rewari

.. Respondent

-
• Mr. Abhiraj Parab, Advocate for Petitioners.

.....
CORAM : MILIND N. JADHAV, J.

DATE : JULY 01, 2024.

P.C.:

1. Heard Mr. Parab, learned Advocate for the Petitioners.
2. Present Writ Petition takes exception to the impugned order dated 19.11.2018 passed below Exhibit "I" – page No.145 of the Writ Petition.
3. Mr. Parab would submit that the soft copy of the Writ Petition has been served on the Respondents as also the Advocate appearing for the Respondent before the learned Trial Court by email. The said email documents dated 13.06.2024 and 19.06.2024 are taken on record and marked as "X-1" and "X-2" for identification.
4. Mr. Parab would inform the Court that the conditional order passed by the Trial Court has been modified and Defendants were directed to deposit Rs.40 lakhs which has been deposited in the Summary Suit proceedings. Mr. Parab would submit that documents

have been exhibited *exparte* and therefore the Notice of Motion was filed before the Trial Court, which stood rejected.

5. An arguable case has been made out by Mr. Parab for issuance of notice.

6. Hence, issue notice to the Respondent. Humdast permitted.

7. In addition to Court notice, Petitioners are permitted to serve a copy of the Writ Petition and this order on the Respondent and inform him about the next date of hearing by any permissible mode of service and file appropriate Affidavit of service with tangible proof thereof on or before the next date.

8. After receiving notice, Respondent is directed to take cognizance of this order and file their Affidavit-in-Reply on or before the next date, if so desired.

9. It is clarified that, this Writ Petition shall be disposed of on the next adjourned date at the stage of admission itself after hearing the parties.

10. Respondent is directed to remain present in Court on the next adjourned date either by themselves or through Advocate.

11. Stand over to **8th July, 2024.**

[MILIND N. JADHAV, J.]

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