

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

INTERIM APPLICATION NO. 620 OF 2024
IN
SUIT NO. 1659 OF 2012

Dayalal M. Vaidya .Applicant

IN THE MATTER BETWEEN

Dayalal M. Vaidya .Plaintiff

Versus

Kirtikumar Futurmaj Jain & anr. .Defendants

Mr. Mahir Bhatt, Advocate (Through VC), for the Applicant/Plaintiff
Mr. Sarthak Solaskar i/b. Vinod Mistry & Co., for Defendant No. 1

CORAM: MADHAV J. JAMDAR, J.

DATE: 12.07.2024

P. C.

1. Heard Mr. Bhatt, learned counsel for the Applicant/Plaintiff and Mr. Solaskar, learned counsel for Defendant No. 1.

2. At the outset, Mr. Bhatt, learned counsel for the Applicant/Plaintiff states that the Applicant/Plaintiff is only pressing prayer clause (A) of the Interim Application. By the said prayer, the Applicant is seeking re-call of the Order dated 07.11.2019 passed by a learned Single Judge (Coram : G. S. Kulkarni, J.) in Suit No. 1659 of 2012. By the said Order dated 07.11.2019, time was extended finally for a period of eight weeks for filing affidavit of documents.

3. Mr. Bhatt, learned counsel for the Applicant/Plaintiff states that affidavit of documents and affidavit of evidence is ready. He further

states that the said affidavit of documents and affidavit of evidence will be served on learned counsel for Defendant No. 1 by 15.07.2024.

4. Mr. Solaskar, learned counsel appearing for the Defendant No. 1 strongly opposes the prayer. However, for the reasons set out in the Interim Application, the Interim Application is allowed in terms of prayer clause (A) with no order as to costs.

[MADHAV J. JAMDAR, J.]