

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

INTERIM APPLICATION NO. 3094 OF 2024

IN

SUIT NO. 255 OF 2018

Kotak Mahindra Bank Limited ... Applicant

In the matter of :

Nirvaan Birla ... Plaintiff

Versus

Shree Trust and others ... Defendants

Dr. Birendra Saraf, Advocate General alongwith Mr. Ranjeev Carvalho,
Mr. Sachin Chandarana and Mr. Aagam Mehta instructed by Manilal
Kher Ambalal and Co., Advocate for the Applicant.

Mr. Rafeeq Peermohideen alongwith Ms. Kalyani Wagle instructed by
T.N. Tripathi & Co., Advocate for the Plaintiff.

Mr. Dinesh Dubey alongwith Ms. Akanksha Soni, Advocates for
Respondent No.5.

CORAM : ABHAY AHUJA, J.
DATE : 17 OCTOBER 2024

PC. :

1. Pursuant to the order dated 5th September 2024, today when
the matter is called out, Dr. Saraf, learned Senior Counsel and Advocate
General of the State, appears for the Applicant in the Interim
Application and submits that an additional Affidavit will be filed to
place on record the factum of the dissolution of the Defendant
No.1/Trust.

2. Mr. Peermohideen, learned Counsel, appears for the Plaintiff and submits that reply has been filed and some time be granted, so that the matter can be argued.

3. Mr. Dubey, learned Counsel, appears for Defendant No.5 also seeks time to file reply to the Interim Application.

4. Having heard the learned Senior Counsel and Advocate General of the State as well as the learned Counsel for the Plaintiff, the following order is passed :

(i) Let the reply(ies) be filed within a period of three weeks, with a copy to the other side.

(ii) Let the rejoinder(s) be filed by the next date, with a copy to the other side.

(iii) The status-quo granted earlier to continue until further orders. It is clarified that the order of status-quo will not come in the way of the Interim Applicant pursuing the Appeal before the Debt Recovery Appellate Tribunal.

5. List on **5th December 2024**.

(ABHAY AHUJA, J.)