

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****MISCELLANEOUS CIVIL APPLICATION NO.490 OF 2024**

Gokul Construction Company

... Applicant.

V/s.

Sher Mohammed Azimuddin Sodawala

... Respondent.

Mr.Piyush Raheja i/b Mr.Rahul Vyas for the Applicant.

Mr.Maulik Tanna through V.C. for Respondent Nos.1 and 27.

Mr.Yohan Mehta i/b M/s.Divekar Bhagwat & Co. for Defendant No.54.

CORAM : KAMAL KHATA, J.**DATE : 23rd June, 2025.****P.C.:-**

1. At the joint request of the respective learned Advocates for Defendant Nos.1 to 27 and 54 and the Plaintiff, Transfer Application is allowed in terms of prayer clause (a), (b) and (c), which reads as under :

“(a) that this Hon’ble Court be pleased to set aside the Order dated 29-01-2024 (reflected in Exhibit ‘C’ hereto);

(b)that this Hon’ble Court be pleased to order and direct the recall of the record and proceedings of the Bombay City Civil Court Suit No.2701 of 2024 (erstwhile Bombay High Court Suit No. 2532 of 2012) and restoration of the same to file of this Hon’ble Court and clubbing the suit with Suit No. 3219 of 2010.

(c) that appropriate orders and directions be given to the Principal Judge of the Bombay City Civil Court at Bombay, the Registrar of this Hon’ble Court and the Registrar of the Bombay City Civil Court at

Bombay to take appropriate steps and action to send and/or recall the record and proceedings of the Bombay City Civil Suit No.2701 of 2024 to this Hon'ble Court and on receipt of the same, the Suit may be restored to file and be clubbed with Suit No.3219 of 2010.”

2. Compliance of this order be done within a period of 8 weeks from the date of uploading of this order on the official website of the Bombay High Court.

(KAMAL KHATA, J.)