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

INTERIM APPLICATION NO.19959 OF 2022
IN
WRIT PETITION NO.3449 OF 1995

Shri Roozbeh M. Aga

...Applicant /
Petitioner

Versus

The Rock House CHS Ltd. and Ors.

...Respondents

INTERIM APPLICATION NO.1478 OF 2024
IN
WRIT PETITION NO.3449 OF 1995

The Rock House CHS Ltd. and Ors.

...Applicant /
Petitioner

Versus

Shri Roozbeh M. Aga

...Respondents

Mr. Meezan Patel, for the Petitioner and for Applicant in IA No.19959 of 2022 and Respondent in IA No.1478 of 2024.

Mr. Shishir Joshi with Ms. Priti Joshi and Ms. Priti Shukla for Respondent No.1.

CORAM : R.I. CHAGLA J.

DATE : 23RD APRIL, 2025.

ORDER :

1. The Writ Petition has been filed on the Appellate Side

Civil Jurisdiction. Thereafter, the matter had come up before the learned Single Judge of this Court on 12th September, 2024. The learned Single Judge of this Court had considered that the prayer sought for in the Writ Petition pertains to the assignment of Division Bench and appropriate steps be taken. Thereafter, the Petitioners had moved the Division Bench of this Court and by an Order dated 7th February, 2025, the Division Bench was of the view that Rule 636(ii) of the Original Side Rules is applicable to the Writ Petition and accordingly it is required to be heard by the learned Single Judge on Original Side. The Registry was directed to examine the matter and place before the appropriate bench.

2. Accordingly, the Writ Petition is placed before this bench though it remains to be converted from Appellate Side to the Original Side.

3. In view thereof, the Petitioner is permitted to carry out change in the nomenclature as well as consequential amendment to the Writ Petition to convert from Appellate Side to Original Side and the Registry shall allow the change and consequential amendment to be effected.

4. Upon the Writ Petition along with Interim Application filed therein being converted and consequential amendments carried out, it shall be placed for consideration on 17th June, 2025.

[R.I. CHAGLA J.]