

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3402 OF 2025**

Ruchit Harish Savla

..Petitioner

Versus

Kishore Dhanji Gangar & Anr

...Respondents

Mr. Amir Arsiwala, with Janhavee Joshi, i/b Suyash More, for the
Petitioner.

CORAM: N. J. JAMADAR, J.

DATED : 20th MARCH 2025

P.C.:

1. Heard the learned Counsel for the petitioner.
2. The challenge in this Petition is to an Order dated 21st January 2025 whereby the learned Judge, City Civil Court declined to grant *ex parte* ad-interim relief and ordered issue of notice to the defendants.
3. The learned Counsel for the petitioner submits that the Writ of Summons and notice of the Notice of Motion was served on defendant no.1. However, defendant no.1 did not appear. The matter is now posted on 1st April 2025.
4. The learned Counsel for the petitioner submits that the matter before the DRAT is listed on 15th April 2025 and, therefore, it is

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necessary to hear the application for ad-interim relief before 15th April 2025, lest defendant no.1 may withdraw the amount from DRAT.

5. If the aforesaid is the fact-situation, the learned Judge, City Civil Court is requested to consider the prayer for ad-interim relief, in the event the defendant does not appear, and if defendant no.1 does appear, after providing an opportunity of hearing to defendant no.1 and pass a reasoned order.

6. With the aforesaid clarification, the petition stands disposed.

[N. J. JAMADAR, J.]