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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISCELLANEOUS CIVIL APPLICATION NO. 202 OF 2025

Hemraj Asher & Anr. ... Applicants

v/s.

J.V. Gokal Charitable Trust & Ors. ... Respondents

Mr. Kunal Mehta a/w Mr. Aditya Sheth i/by Mr. Sujit Lahoti & Associates for the Applicant.

Mr. Arup Dasgupta a/w Ms. Drshika Hemnani & Prapti Bhadra i/by Jhangiani Narula & Associates for the Respondent Nos.9 & 10.

CORAM : Kamal Khata, J.
DATED : 16th July 2025.

P.C.:-

1. By this Application filed under Section 24 of the Civil Procedure Code, 1908, the Applicant seeks transfer of Suit No. 2560 of 2024 and all the proceedings pending before Court Room No.59 of the Bombay City Civil Court, Mumbai and Notice of Motion No.2344 of 2024 filed by Respondent Nos.9 and 10, to the Original Side of this Court. The Applicants are executors and have filed the Interpleader Suit.

2. The Applicants seek to deposit the residuary estate in the Court which is amounting to a sum of Rs.5,11,58,155/-. It is submitted that there are several litigations pending between the Defendants *inter se*, the description of which is given at Exhibit-5. The list of Suits which are pending before this Court between the parties are enlisted in paragraph 10 of this Application.

3. The Counsel for Respondent Nos.9 and 10 have no apparent objections save and except that he opposes the tagging of this Interpleader Suit with these other Suits that are pending before this Court.

4. Upon hearing the Advocates and having perused the material on record, I find no impediment in allowing the Application. Accordingly, I pass the following Order;

(i) Application is allowed in terms of prayer clauses (a) and (b).

(ii) Notice of Motion No.2344 of 2024 filed by Respondent Nos.9 and 10 shall also be transferred.

(iii) The transfer may be effected within a period of four weeks from today.

(iv) Application is accordingly disposed of.

(v) All concerned to act on an authenticated copy of this Order.

(Kamal Khata, J.)