

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

INTERIM APPLICATION NO. 2737 OF 2025
IN
SUIT NO. 665 OF 2000

INDIAN OIL CORPORATION LIMITED)...APPLICANT
IN THE MATTER BETWEEN
NIRMALABEN V. THAKKAR (since deceased))
KIRAN MAYUR DAFTARY AND OTHERS)...PLAINTIFFS
V/s.

INDIAN OIL CORPORATION LIMITED)...DEFENDANT

Mr.Shrikant Seegarla a/w. Mr.Swapnil Shikhaze i/by RMG Law
Associates, Advocate for the Applicant / Defendant.

Mr.Vaibhav Gaikwad i/by V and M Legal, Advocate for the Plaintiffs.

CORAM : ABHAY AHUJA, J.

DATE : 4th SEPTEMBER 2025

PC. :

1. This Interim Application seeks revocation of leave granted under Clause XII of the Letters Patent Act vide order dated 18th January 2000.
2. Mr.Vaibhav Gaikwad, learned Counsel, appears for the Plaintiffs and once again submits that the talks for settling the dispute are going on and the matter be adjourned.

3. On a query from this Court whether any reply has been filed, Mr.Gaikwad submits that some time be granted.

4. When this Court has enquired from the learned Counsel for the Defendant as to whether written statement has been filed, Mr.Shrikant Seegarla, learned Counsel for the Defendant, submits that written statement has been filed and issues have also been framed, however, since the matter is going to be settled, no evidence has been filed till date.

5. A perusal of the orders on record of this Court indicates that since 15th December 2022, on 6th March 2023, 20th March 2023, 17th April 2023, 8th June 2023, 26th July 2024, 6th December 2024, 21st April 2025, 16th June 2025 and on 22nd August 2025, time had been sought on the ground that settlement talks are going on. In my view, if the matter had to be settled, it would have settled by now. As can be seen, on several dates for atleast over two years time had been sought on this ground and no progress has been made in the Suit of the year 2000 which is reflecting on the pendency status of this Court. In my view, this cannot go on.

6. Accordingly, as far as the Interim Application is concerned, let reply be filed within a period of two weeks with a copy to the other side. Rejoinder in two weeks thereafter, with a copy to the other side. No further time would be granted under any circumstances whatsoever.
7. List the Interim Application for hearing on **9th October 2025**.
8. As far as the Suit is concerned, let the Plaintiffs within a period of four weeks file an affidavit of examination-in-chief of the Plaintiffs' witness along with affidavit and compilation of documents duly indexed and paginated and serve the same upon the Defendant alongwith list of Plaintiffs' witnesses.
9. Discovery and inspection to be completed within a period of two weeks thereafter.
10. Defendant to file statement of admission and denial within a period of two weeks thereafter with a copy to the other side.
11. List for marking of Plaintiffs' documents on **6th November 2025**.
12. Let the Plaintiffs' witness remain present in Court on the next date.

13. It goes without saying that the parties are always at liberty to arrive at an amicable settlement, however, not at the cost of pendency of the Suit like this.

(ABHAY AHUJA, J.)