

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

**INTERIM APPLICATION NO. 4474 OF 2022
IN
SUIT NO. 1054 OF 2018**

SOHRAB KEKOO NICHOLSON AND ANOTHER)...APPLICANTS

IN THE MATTER BETWEEN

SOHRAB KEKOO NICHOLSON AND ANOTHER)...PLAINTIFFS

V/s.

**SELVEL PUBLICITY AND CONSULTANTS PVT.)
LTD. AND OTHERS)...DEFENDANTS**

**AND
KHUSHROO DRIVER)...RESPONDENT**

**WITH
INTERIM APPLICATION NO. 3544 OF 2024
IN
SUIT NO. 1054 OF 2018**

Mr.Zal Andhyarujina, Senior Advocate a/w. Mr.Aurup Dasgupta, Ms.Ishani Khanwilkar, Ms.Drshika Hemnani and Ms.Prapti Bhadra i/by M/s.Jhangiani, Narula & Associates, Advocate for the Applicants in IA/4474/2022.

Mr.A. Surve a/w. Ms.Nikita Vardhan i/by Kanga & Company, Advocate for the Defendant no.2.

Ms.Nelly Mehta i/by NMA Legal, Advocate for the Respondent in IA/4474/2022.

Mr.Abhinav Chandrachud a/w. Mr.Saurish Shetye and Mr.Preet Chheda, Advocate for the Defendants no.1, 4 and 5 in S/1054/2018.

Mr.Abhinav Chandrachud a/w. Mr.Saurish Shetye i/by Mr.Ajit Kocharekar, Advocate for the Defendant no.6 in S/1054/2018.

CORAM : ABHAY AHUJA, J.

DATE : 6th FEBRUARY 2025

P.C. :

1. Pursuant to order dated 9th January 2025, today when the matter is called out, at the outset, Mr.Andhyarujina, learned Senior Counsel, appearing for the Applicant in Interim Application No.4474 of 2022, submits that he has instructions to state that the Applicant in this application is not pressing prayer clauses (e) and (f) and the same be recorded, however, submitting that liberty be granted to take out an appropriate proceedings in respect of the said prayer clauses. Statement is accepted.

2. Dr.Chandrachud, learned Counsel, appearing for the Applicant in Interim Application No.3544 of 2024 submits that in view of the statement made by Mr.Andhyarujina, learned Senior Counsel, appearing for the Interim Applicant in Interim Application No.4474 of 2022, this Interim Application would not survive and be disposed of as infructuous.

3. Accordingly, Interim Application No.3544 of 2024 stands disposed as infructuous.

INTERIM APPLICATION NO. 4474 OF 2022

4. After this matter is heard for a while, upon a suggestion from this Court to Dr.Chandrachud, learned Counsel appearing for the Defendants no.1 and 4 to 6 as to whether the Defendant no.1 would be in a position to file an affidavit with respect to the utilization and encashment of the fixed deposit referred to in paragraph 1(v) of the order dated 12th July 2018 and also referred to in paragraph 43 of the affidavit dated 20th August 2018 of the Defendant no.1, Dr.Chandrachud seeks some time to take instructions in the matter.
5. Let instructions be taken within a period of one week.
6. List on 18th February 2025.

(ABHAY AHUJA, J.)

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