
IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION NO.3827 OF 2024

IN

SUIT NO.326 OF 2023

Bombay Taximens CHS. Ltd.

....Applicant

Versus

Pashah Begum Busheri & Ors.

....Respondents

Mr. Chetan Kapadia, Senior Advocate *for Applicant in IA/3827/2024.*

Mr. Karl Tamboly a/w. Zahan Setalvad, Angel Carneiro, Smith Colaco, Tushar Cooper i/b. Mulla & Mulla & Craigle Blunt & Caroe, for Plaintiff in S/126/2023 and for Respondents in IA/3827/2024.

Ms Rujuta Patil a/w. Hasan Mushabber i/b. Negandhi, Shah & Himayatullah, for Defendant No.2.

CORAM: SOMASEKHAR SUNDARESAN, J.

DATE : DECEMBER 01, 2025

ORDER :

1. Stand over to ***December 4, 2025.***
2. Mr. Tamboly, Learned Counsel on behalf of the Original Plaintiff has essentially submitted that the case in hand is covered by Article 65 of the Limitation Act, 1963 (***"the Act"***) and not Article 58 of the Act. He would submit that the public notice served by Mr. Kapadia, Learned Counsel for the Applicant in the captioned Interim Application has

responded to another public notice by the Plaintiff, which the Respondents only give a holding reply upon Respondents thereafter. According to him, it is for the Plaintiff to choose when he perceives credible legal threat that give rise to the cause of action. He tenders a compilation of judgments in furtherance of the same and the list of dates which are taken on record.

3. To enable Mr. Kapadia to submit his Rejoinder, stand over to *December 4, 2025*.

4. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]