

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO.1054 OF 2024
IN
SUTT NO. 262 OF 2021

Jammu & Kashmir Bank Limited ...Applicant

In the matter of

Italia Landscapes LLP ...Plaintiff

Versus

M/s V. Shantilal & Company Pvt. Ltd. & Ors ...Defendants

Mr. Vijay Kumar Sharma for Applicant.

CORAM : ARIF S. DOCTOR, J.

DATED : 21st MARCH 2025

P.C. :

1 Not on board. Upon mentioning taken on board.

2 At the outset, before the board was called, the Associate of this court had informed all the Advocates waiting in the court seeking circulation that only those matters which were extremely urgent were to be mentioned in terms of the notices published by this Court dated 3rd January 2025 and 17th January 2025. The advocates were also informed that in the event any matter was mentioned and it was found that the same was not urgent and contrary to the notices published, then not only would circulation not be granted but also costs would be imposed and the matter would be listed after 6 months.

3 Despite the above, Mr. Sharma Learned Counsel for the plaintiff mentioned the matter and tendered a precipe, in which the reasons for seeking

urgent circulation were set out as follows :

"That the building has already been demolished and name of Mrs. Hemal Modi -(the borrower) has not been mentioned in ANNEXURE-II as per Municipal Corporation. The applicant is a bank and loan has been obtained and lien is marked over the suit flat no.402. Factually the flat is not existence on the date as the building is demolished. To protect the interest of the applicant bank as public money is involved, Hence the urgency."

4 It is to be noted that the above reasons do not make out a case of extreme urgency.

5 Hence list the matter in regular course subject to payment of costs of Rs.5000/- to The High Court Employees Medical Welfare Fund, account details of which are as follows:

Bank Account Details :

Account name : The High Court Employees Medical Welfare Fund at Mumbai.

Bank Name

and Branch : Bank of India, Mumbai (Main) Branch.

Account no. : 000120110001337.

IFSC Code : BKID0000001"

(ARIF S. DOCTOR, J.)