

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION

INTERIM APPLICATION NO.1816 OF 2024
IN
COMMERCIAL SUIT NO. 288 OF 2017

MR.BHUPENDRA RATILAL SHAH)...APPLICANT

IN THE MATTER BETWEEN

MR.BHUPENDRA RATILAL SHAH)...PLAINTIFF

V/s.

CURIO FINANCE AND INVESTMENT PVT. LTD.)
AND OTHERS)...DEFENDANTS

AND

M/S. TULSI SIDDHI DREAM HOMES LLP)...RESPONDENT
(PROPOSED DEFENDANT NO.5)

Mr.Karl Tamboly a/w. Mr.Pradeep Bakhru i/by Wadia Ghandy & Co.,
Advocate for the Applicant/Plaintiff.

Mr.Rushabh Sheth i/by Mr.Aditya Mhatre, Advocate for the Proposed
Respondent no.5.

Mr.N.C.Pawar, Officer on Special duty, Court Receiver's Office, present
in Court.

CORAM : ABHAY AHUJA, J.

DATE : 24th FEBRUARY 2025

PC. :

1. Mr.Karl Tamboly, learned Counsel, appearing for the Applicant /
Plaintiff submits that this Interim Application seeks a restraint against
the Defendant no.1 and the proposed Defendant, who has been allowed
to be impleaded vide Interim Application No.2081 of 2024.

2. Mr.Rushabh Sheth, learned Counsel, appears for the proposed Defendant and submits that his client has no intention of creating any third party rights *qua* the plaintiff's claim in the Suit. The statement is accepted. However, Mr.Sheth seeks some time to file a reply in the said application.

3. Let the reply be filed within a period of two weeks with a copy to the others. Rejoinder, in a week thereafter, with a copy to the others.

4. List on **25th March 2025**.

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5. Mr.Sheth waives service of writ of summons.

6. Let the newly added Defendant no.5 file written statement by 24th March 2025.

7. List on **25th March 2025** when this Court will also consider grant of interim reliefs.

(ABHAY AHUJA, J.)