

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMMERCIAL SUIT NO. 288 OF 2017**

Bhupendra Ratilal Shah ... Plaintiff

Versus

Curio Finance and Investment Pvt. Ltd. and others ... Defendants

WITH

INTERIM APPLICATION NO. 1816 OF 2024

CHAMBER SUMMONS (L) NO. 147 OF 2017

IN

COMMERCIAL SUIT NO. 288 OF 2017

.....

Mr. Karl Tamboly alongwith Mr. Anuj Jhaveri, Ms. Aneesa Cheema and Mr. Ritik Sinha instructed by Mr. Anuj Jhaveri, Advocate for the Plaintiff/Applicant.

Mr. Aditya Mhatre instructed by Mr. Dhaval Ved, Advocate for the Defendant No.5.

Ms. Nandini Deshpande, 1st Assistant to the Court Receiver, present.

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CORAM : ABHAY AHUJA, J.

DATE : 6 AUGUST 2025

PC. :

1. When the matter is called out, Mr. Tamboly, learned Counsel, appears for the Plaintiff and at the outset submits that the Chamber Summons (L) No.147 of 2017 is wrongly on board as the said Application has already been disposed of.

2. Remove from board as the same is already disposed of.

Interim Application No.1816 of 2024 :

3. When the matter is called out, Mr. Tamboly, at the outset requests that this Court may direct the Registry to accept the rejoinder.
4. Registry to accept the rejoinder.
5. Thereafter, Mr. Tamboly submits that this Court may grant prayer clause (c), in as much as despite agreement to convey part of the larger plot to the Applicant, the same has not been done till date and that third party rights in respect of the balance land continue to be created in respect thereof.
6. Mr. Mhatre, learned Counsel, appearing for the Defendant No.5 seeks some time to take appropriate instructions in the matter.
7. Let instructions be taken by the next date.
8. List on **17th September 2025.**

(ABHAY AHUJA, J.)