

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION**

INTERIM APPLICATION (L) NO.27779 OF 2024

IN

INTERIM APPLICATION NO.2291 OF 2024

IN

SUIT NO.211 OF 2024

Dimple Realtors Private Limited

... Applicant/Intervener

In the matter between

Nanda Lakhi & Ors.

... Plaintiffs

Vs.

Kamlesh Rupabhai Gami & Ors.

... Defendants

WITH

INTERIM APPLICATION NO.97 OF 2025

(NOT ON BOARD)

IN

SUIT NO.211 OF 2024

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Nanda Lakhi & Ors.

... Applicants/Org. Plaintiffs

In the matter between

Nanda Lakhi & Ors.

... Plaintiffs

Vs.

Kamlesh Rupabhai Gami & Ors.

... Defendants

And

Dimple Realtors Private Limited

... Respondent/
Proposed Defendant No.9

WITH
INTERIM APPLICATION NO.2291 OF 2024
(NOT ON BOARD)
IN
SUIT NO.211 OF 2024

Nanda Lakhi & Ors.

... Applicants/Org. Plaintiffs

In the matter between

Nanda Lakhi & Ors.

... Plaintiffs

Vs.

Kamlesh Rupabhai Gami & Ors.

... Defendants

Mr. Venkatesh Dhond, Senior Advocate a/w Priyanka Kothari i/by Tasneem Zaidy for the Applicant in IAL No.27779 of 2024.

Mr. Rashid Khan a/w Vinali Bhaidkar for Defendant Nos.1 to 3 and 5.

Mr. M. M. Vashi, Senior Advocate, Manisha Desai i/by M. P. Vashi & Associates for the Respondent in IAL No.27779 of 2024 and for the Applicant in Ia 97 of 2025.

CORAM : ARIF S. DOCTOR, J.

DATE : 11TH FEBRUARY 2025

P.C. :

Interim Application No.97 of 2025

1. By way of the present Interim Application, the Applicant seeks impleadment of the Respondent as Defendant No.9.

2. The Respondent/proposed Defendant No.9 has similarly filed an Interim Application, being Interim Application (L) No.27779 of 2024 for impleadment. Thus, there is no opposition to the present Interim Application being allowed.

3. Interim Application is thus allowed in terms of prayer clause (a), which reads thus:

“a. That the applicants be allowed to amend the plaint as per the schedule annexed at Exhibit A to the present application.”

4. Amendment to be carried out within a period of one week from today.

5. Re-verification is dispensed with.

6. Interim Application is thus disposed of accordingly.

Interim Application (L) No.27779 of 2024

7. In view of disposal of Interim Application No.97 of 2025, nothing survives in the present Interim Application and thus the same is accordingly disposed of.

Interim Application No.2291 of 2024

8. In view of the fact that today by virtue of an order passed in Interim Application No.97 of 2025 filed by the Applicant/Plaintiff, which was being allowed, Mr. Vashi, Learned Senior Counsel for the Applicant/Plaintiff seeks leave of the Court to withdraw the present Interim Application with liberty to file the same afresh by arraying the newly added Defendant as a party.

9. Hence, Interim Application is dismissed as withdrawn with liberty to file the same afresh.

10. At this Stage Mr. Vashi, Learned Counsel for the Applicant/Plaintiff seeks leave to file draft amendment, which will now be effected in the Plaint in view of Interim Application No.97 of 2025 being allowed. He is permitted to do so.

11. Needless to state that the draft amendment only pertains to the Deed of Conveyance dated 30th March 2024 as also relevant documents in that regard.

(ARIF S. DOCTOR, J.)