



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

INTERIM APPLICATION NO.5448 OF 2025
IN
COMMERCIAL SUIT NO.21 OF 2021

Shashi Sumeet Productions Pvt. Ltd. & Ors. ...Applicants/
Org. Defendants

IN THE MATTER BETWEEN:

Kuresh R. Kushesh @ Dhiren ...Plaintiff

Versus

Shashi Sumeet Productions Pvt. Ltd. & Ors. ...Defendants

Mr. Akash Loya a/w Ms. Jyoti Ghag, Mr. Shailesh P. & Mr. Ankit Singhal
i/by Dua Associates for the Applicants.

Mr. Hitanshu Jain i/by S. K. Srivastav & Company for the Plaintiff.

CORAM : JITENDRA JAIN, J.

DATE : 7 OCTOBER 2025

P.C.:

1. In this suit, the dispute between the parties revolves around document titled as 'MOU' dated 23 November 2016 and document titled as 'Share Subscription Cum Shareholders Agreement' dated 21 December 2016.

2. Defendants had also filed a suit on these very documents in this Court. The said suit was numbered as Commercial Suit No.621 of 2017. However, on account of pecuniary jurisdiction, the said suit filed by the defendant was transferred to the City Court which was numbered as Commercial Suit No.100239 of 2024 by the City Civil Court.

3. Both the parties agree that the dispute in both these suits revolve around common MOU and Share Subscription Cum Shareholders Agreement referred to hereinabove.

4. Therefore, it is in the interest of justice that both these suits are tried by one Court. Since the amount involved in Commercial Suit No.21 of 2021 is Rs.37.12 crores and the suit which is pending before the City Civil Court is approximately Rs.3 crores, this Court by virtue of Section 24(1)(b) of the Code of Civil Procedure, 1908 directs the Registry of the City Civil Court to transfer the suit pending to this Court. The parties are requested to follow up with the Registry so that the suit pending before the City Civil Court can be transferred to this Court and numbered. Registry of the City Civil Court is requested to transfer the said suit within six weeks from today.

5. The Interim Application is disposed of.

[JITENDRA JAIN, J.]