

Kavita S.J.

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

INTERIM APPLICATION NO.2143 OF 2025
IN
SUIT NO.130 OF 2025
WITH
SUIT NO.130 OF 2025

Nagina Ramsagar Choube & Ors.,

...Applicants/
Org. Plaintiffs

Versus

Ajay Mohan & Ors.,

...Defendants

Dr. Pawan K. Pandey a/w Ms. Ashok Gupta i/b Chayderman & Co.
for the Plaintiffs.

Mr. Karl Tamboly a/w Mr. Yash Momaya, Mr. Paras Gosar, Mr. Samit
Shukla, Mr. Siddharth Shah, Ms. Sayali Diwadkar & Mr. Anuj Savla
i/b Trilegal for Defendant No.1 to 3.

CORAM : R.I. CHAGLA, J.

DATED : 23rd JULY, 2025.

ORDER :

1. The matter has been placed today on account of certain objections which have been raised by the Plaintiffs to the Speaking of Minutes Application of the Defendants for correction of Order dated 24th June, 2025. The objections have been raised in praecipe dated 22nd July, 2025. The grievance of the Advocate for the Plaintiff

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appear to be that this Court has considered the request of the Defendants to add words / sentences in the Order dated 24th June, 2025. Further, it is stated in the praecipe that in the event this Court considers the request of the Defendants and speaks to the Minutes of said Order dated 24th June, 2025, then the Plaintiffs pray for the observations mentioned in the praecipe to be included in the said order. The observations of the Plaintiffs include as under:

“In rejoinder the Advocate on record for the Plaintiffs pointed out the name of the Plaintiff No.2 has been inadvertently and due to typographical error recorded as “Shamlal Bachchlal Pal” where as the correct name is “Jaylal Bachchalal Pal”. The amendment application is filed. The Sr. Counsel appearing for the Plaintiffs also opposed the submissions of the counsels for the Defendants on ground that no affidavit in reply/written statement has been filed by the Defendants and only oral arguments are being advanced across the bar based on compilation of documents without any supporting affidavit.”

2. Having considered the averments in the praecipe as well

as the above observation, I do not consider it necessary to record the observations by way of speaking to the minutes of the Order dated 24th June, 2025. I find that the Defendants in their Application for speaking to the minutes of the said Order dated 24th June, 2025 have merely sought to correct the Plaintiffs and Defendants who were parties to the prior litigations which have been referred to in the said Order. This Court has not added any sentences which could give rise to the aforementioned observations of the Plaintiffs being added as and by way of speaking to the Minutes of the said Order dated 24th June, 2025.

3. In any event, if the Plaintiffs are at all aggrieved by the findings, it cannot be by way of Speaking to the Minutes of Order dated 24th June, 2025.

4. Accordingly, the Speaking of Minutes order which has been kept in abeyance awaiting consideration of the objections of the Plaintiffs, shall no longer be kept in abeyance.

5. The praecipe filed by the Advocates for the Plaintiffs dated 22nd July, 2025 is accordingly disposed of.

[R.I. CHAGLA, J.]