

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

INTERIM APPLICATION NO.854 OF 2025

IN

SUIT NO.448 OF 2023

Indico Construction Company ... Applicant (Org. Plaintiff)

In the matter between

Indico Construction Company ... Plaintiff

V/s.

A. H. Wadia Charity Trust & Ors. ... Defendants

Adv. Y. S. Bhate a/w Upendra Lokegaonkar for the Applicant.

Ms. Srushti Chalke for Defendant No.2.

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CORAM : ARIF S. DOCTOR, J.

DATE : 05TH MAY 2025

P.C. :

1. The captioned Interim Application seeks deletion of Defendant Nos.11, 12 and 13 from the array of the parties.

2. Learned Counsel appearing on behalf of the Applicant submits that the Defendants are duly served. He undertakes to file Affidavit of Service to that effect.

3. Learned Counsel appearing on behalf of Defendant No.2 submits that she does not have any objection to delete Defendant Nos.11, 12 and 13.

4. Having due regard to the submissions made as also averments made in the Application, I am of the view that the Interim Application deserves to be allowed. The Interim Application is therefore allowed in terms of prayer clause (a), which reads thus:

“(a) That this Hon’ble Court may be pleased to allow the Plaintiff to delete the names of the Defendants Nos.11, 12 and 13 respectively from the cause list of the above Suit”

5. Amendments to be carried out within a period of two weeks from today.

6. Re-verification is dispensed with.

7. Interim Application is accordingly disposed of.

(ARIF S. DOCTOR, J.)