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

INTERIM APPLICATION NO.2143 OF 2025
IN
SUIT (L) NO.10960 OF 2025

Nagina Ramsagar Choube and Ors.

...Applicants /
Plaintiffs

Versus

Ajay Mohan & Ors.

...Defendants

Dr. Pawan K. Pandey, Mr. Ashok Gupta, Suman Gupta and Sanchit Ojha i/b. Clayderman & Co. for the Applicants / Plaintiffs.

Mr. Darius Khambata, Senior Advocate, Mr. Karl Tamboly, Mr. Tushar Hathiramani, Mr. Samit Shukla, Mr. Siddharth Shah, Ms. Sayali Diwadkar and Mr. Anuj Savla i/b. Trilegal for Defendant No.1.

Mr. Navroz Seervai, Senior Advocate, Mr. Yash Momaya, Mr. Samit Shukla, Mr. Siddharth Shah, Ms. Sayali Diwadkar and Mr. Anuj Savla i/b. Trilegal for Defendant Nos.2 and 3.

CORAM : R.I. CHAGLA J.

DATE : 16TH JUNE, 2025.

ORDER :

1. The learned Counsel appearing for the Applicants / Plaintiffs states that the arguing Counsel is unavailable. He has submitted that due to inadvertence the final prayers in the Suit have

also been added in the Interim Application which are prayer Clauses (a) to (e). He has sought permission to delete the prayers.

2. Accordingly, the Applicants / Plaintiffs shall carry out the amendments in the prayer Clauses to the Interim Application by deleting the final prayers in the Suit i.e. prayer Clauses (a) to (e) and which shall be carried out on or before 18th June, 2025. Re-verification is dispensed with.

3. This Order is being passed without prejudice to the Defendants rights and contentions and in particular their objection to the maintainability of this Interim Application and Suit on the ground that there is gross suppression of earlier proceedings filed by the Plaintiffs including the fact of those proceedings having been withdrawn and Consent Decree having been passed.

4. Mr. Khambata, the learned Senior Counsel appearing for Defendant No.1 has tendered Compilation of Documents on behalf of the Defendants containing all pleadings and orders passed by this Court which he submits have been suppressed in the captioned Suit.

5. The Interim Application shall be placed on 23rd June, 2025, high on board and the aforementioned preliminary issue raised by the Defendants shall be considered first.

[R.I. CHAGLA J.]