

Amol

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO. 3329 OF 2025
IN
APPEAL NO. 114 OF 2014**

Jitendra V Gupta & Anr ...Applicants

In the matter between

Dhaval A Chauhan & Anr ...Org. Review
Petitioners

Versus

Shruti Tradeplace Pvt Ltd & Ors ...Respondents

Mr Rajendra N Bhagattjee, *for the Applicant.*

**CORAM M.S. Sonak &
Advait M. Sethna, JJ.
DATED: 18 September 2025**

PC:-

1. The learned Counsel for the applicant seeks leave to withdraw this application on account of the technical difficulties including absence of proper prayer clauses etc. with liberty to file a fresh Interim Application seeking a restraint on the transfer of trust property pending the final disposal of the accompanying appeal.

2. In the present Interim Application, though we find that there are some averments therein, we agree that the prayer clauses as worded, are defective. There is not even a prayer

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for restraining the sale pending the disposal of the appeal or any ad-interim relief to that effect.

3. The applicant alleges that there is no provision in the trust deed for transfer of the trust properties or creating any third party rights. The applicant also alleges that the property which would be reasonably valued at around Rs. 45 Crores, is sought to be disposed of by the trustees by accepting Rs. 5 Crores.

4. Considering the above circumstances, we grant the applicant leave to withdraw this application with liberty to file a fresh Interim Application. This Interim Application is disposed of in the above terms.

(Advait M. Sethna, J)

(M.S. Sonak, J)