

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO. 5155 OF 2025
IN
INTERIM APPLICATION (L) NO. 14387 OF 2025
IN
SUIT NO. 160 OF 2005

Shailesh Rajnikant Parekh ... Applicant

In the matter between :

Ila Girish Parikh ... Plaintiff

Versus

Suvas Siddharth Parekh and others ... Defendants

.....

Mr. Rohaan Cama alongwith Mr. Pheroze Mehta, Mr. Sohan Kinkhabwala and Ms. Sneha Nair instructed by Veritas Legal, Advocate for the Applicant.

Ms. Megha Sanghavi instructed by Dhruve Liladhar & Co., Advocate for the Plaintiff.

Ms. Sakshi Jain instructed by Jariwala Associates, Advocate for the Defendant No.1.

Mr. Ryan D'Souza (through VC) alongwith Mr. Umair Merchant, Ms. Rima Ajmerwalla instructed by M/s. M.T. Miskita & Co., Advocate for the Defendants No.2 and 3.

.....

CORAM : ABHAY AHUJA, J.

DATE : 23 SEPTEMBER 2025

PC. :

1. This Interim Application was kept back in the morning session as Mr. Cama, learned Counsel, had sought time to intimate the Advocate/Counsel for the Defendants No.2 and 3.

2. When the matter is called out in the afternoon session, the learned Counsel appearing for the Applicant submits that the Interim Application seeks restoration of Interim Application (L) No. 14387 of 2025, which had been dismissed by a self operative order dated 24th July 2025 for non-removal of office objection and non-obtention of registered number.

3. Mr. D'Souza, learned Counsel, appearing for the Defendants No.2 and 3 has no objection if the Interim Application is allowed.

4. Mr. Cama, learned Counsel, appearing for the Applicant draws this Court's attention to paragraphs 4 to 6 of the Interim Application and submits that since the Advocates had changed after the self operative order dated 24th July 2025 had been passed and when the present Advocates came on record, they have noticed the dismissal and thereafter, filed this Interim Application for restoration. Mr. Cama submits that the non-removal of objections was entirely unintentional and inadvertent due to oversight on the part of the Applicant. That this Court may allow the restoration application, subject to any reasonable costs.

5. Other learned Counsel, appearing in the matter also have no objection if the Interim Application is allowed.

6. Having heard the learned Counsel and having considered their submissions, subject to payment of costs of Rs.10,000/- to the High Court Employees Medical Welfare Fund at Mumbai within a period of two weeks, the Application is allowed in terms of prayer clauses (a) and (b), which read thus :

(a) The Interim Application (L) No. 14387 of 2025 ne restored to file.

(b) The Applicant may be permitted to comply with office objections raised in respect of Interim Application (L) No. 14387 of 2025 within such period as this Hon'ble Court deems fit.

7. Subject to payment of costs as above, let the objections to the Interim Application (L) No.14387 of 2025 be removed and registered number be obtained within a period of two weeks.

8. Mr. Cama, for the Applicant submits that the main Suit is listed on 10th October 2025 and that the Interim Application which has been restored today, also be listed on the next date.

9. If the objections to the Interim Application (L) No. 14387 of 2025 are removed and registered number has been obtained, then list the said Application also on **10th October 2025** alongwith the Suit.

(ABHAY AHUJA, J.)