

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

**INTERIM APPLICATION NO. 6476 OF 2025
IN
COMMERCIAL SUIT NO. 91 OF 2022**

Mumbai Metropolitan Region Development Authority ...Applicant

In the matter between :

Hitachi Rail Sts India Private Limited And Anr. ...Plaintiffs

Versus

Mumbai Metropolitan Region Development Authority ...Defendant

**WITH
INTERIM APPLICATION NO. 5943 OF 2025
IN
COMMERCIAL SUIT NO. 91 OF 2022**

Mr. Arup Pereira a/w Anjali Shah, Parag Kabra i/b DSK Legal, for Plaintiffs.

Adv. P. Raheja a/w Adv. Anuj Jaiswal, Adv. Niharika singh i/b Little & Co., for Defendant No.1.

**CORAM : SOMASEKHAR SUNDARESAN, J.
DATE : MARCH 4, 2026**

ORDER :

1. By an order dated September 24, 2025, upon auto listing of the restoration application, a Learned Single Judge of this Court permitted restoration with imposition of costs of Rs. 25,000/-.

2. It is the case of the Learned Advocate for the Plaintiffs that, the matter having been auto-listed, the Plaintiffs were not aware of the order having been passed; and, immediately upon becoming aware, they made payment of the stipulated costs. However, since the deadline of two weeks had been fixed in the aforesaid order dated September 24, 2025, the Application has been dismissed.

3. In this view of the matter, and having heard the parties, the Applicant is given liberty to approach the Registry to demonstrate the payment of costs, and the Registry shall effect the restoration within a period of two weeks. Permission to approach the Registry to take on record the payment of costs with a delay beyond the two weeks as stipulated is granted. Therefore, the proceedings shall stand restored and any removal of objections shall be effected within a period of two weeks from the upload of this Order.

4. It is made clear that Interim Application (L) No. 5844 of 2023 and Interim Application (L) No 38709 of 2022 were covered by the direction contained in paragraph 1 of the order dated September 24, 2025. Since the Defendants were present, they submit that the objections have been removed, and the Interim Applications now stand numbered as Interim Application No. 6476 of 2025 and Interim

Application No. 5943 of 2025. It is clarified that these Interim Applications did not get disposed of, and it is only the Interim Applications of the original Plaintiff which stood dismissed, as the Plaintiff was not present on the date when the Learned Single Judge passed the aforesaid order.

5. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]