

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

**INTERIM APPLICATION NO. 1696 OF 2025
IN
COUNTER CLAIM NO. 26 OF 2007**

Mahendra S. Dalal and Anr. ... Applicants

V/s.

Sohag Bipin Dalal and Ors. ... Respondents

**WITH
TESTAMENTARY PETITION NO. 653 OF 2001**

Mahendra S. Dalal ... Applicant

V/s.

----- ... Respondents

**WITH
SUIT NO. 2956 OF 2000
WITH
NOTICE OF MOTION NO. 635 OF 2012
IN
SUIT NO. 2956 OF 2000**

Bipin S. Dalal ... Plaintiff

V/s.

Mahendra S. Dalal ... Defendant

**WITH
INTERIM APPLICATION (L) NO. 21205 OF 2024
IN
SUIT NO. 2956 OF 2000**

Sohag Bipin Dalal ... Applicant/
(Plaintiff No.1A)

In the matter between

Bipin Shantilal Dalal ... Deceased/
Org. Plaintiff

And
Sohag Bipin Dala and Ors. ... Plaintiffs
V/s.
Mahendra Shantilal Dalal and Ors. ... Defendants

**WITH
TESTAMENTARY SUIT NO. 44 OF 2005**

Mahendra Shantilal Dalal and Anr. ... Plaintiffs
V/s.
Bipin Shantilal Dalal (since deceased) ... Defendant

Mr. Sunny Shah with Viral Dilip Shukla, Prti Shukla and Rudra M. Dani i/b. Shukla and Associates for the Applicants in IA 1696/2025 and for Defendant Nos. 1 and 8
Mr. Sharan Jagtiani, Senior Advocate with Aseem Naphade, Ms. Kausar Banatwala and Mr. Dhavall Gandhi i/b. Tushar Goradia for Original Plaintiff

CORAM : FARHAN P. DUBASH, J.

DATE : 19TH JANUARY 2026

P.C. :

1. Despite best efforts, it appears that no settlement is arrived at between the parties and accordingly, Interim Applications are now required to be heard.
2. By consent, place the Interim Applications for hearing on 24th February 2026 at 4.00 p.m.

3. There is already an order dated 20th April 2001 passed by this Court directing status-quo to be maintained which order has since continued and is in operation till today. This order shall continue to operate till the next date.

4. Mr. Sunny Shah, learned Counsel who appears on behalf of Defendant Nos. 1 and 8, on instructions of his clients makes a statement that no notice for vacating the suit flat has been received by the client from the developer. In the event, any such notice is received, he shall forthwith, within 48 hours of receipt of such notice communicate the same and hand over a copy thereof to the Advocates for the Plaintiffs. Liberty to apply in such event.

5. Parties shall file and exchange a note of the arguments that they propose to make together with judgments that they intend to rely upon on or before 17th February 2026.

(FARHAN P. DUBASH, J.)

Jyoti Pawar

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PRAKASH
PAWAR

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JYOTI PRAKASH
PAWAR
Date: 2026.01.19
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