

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

INTERIM APPLICATION NO. 5623 OF 2025  
IN  
SUIT NO. 245 OF 2023

Leonard Raymond Pereira & Anr.

...Applicants/  
(Orig. Deft. Nos. 2 &3)

**In the matter between :**

Aslam Alladatkhan Malik & Anr.

...Plaintiffs

**Versus**

Fancy Builders Private Limited & 4 Ors.

...Defendants

WITH  
INTERIM APPLICATION NO. 5896 OF 2025  
IN  
SUIT NO. 245 OF 2023

Skyi Replete Ventures LLP

...Applicant

**In the matter between :**

Aslam Alladatkhan Malik & Anr.

...Plaintiffs

**Versus**

Fancy Builders Private Limited & 4 Ors.

...Defendants

WITH  
INTERIM APPLICATION NO. 1056 OF 2024  
IN  
SUIT NO. 245 OF 2023

Aslam Alladatkhan Malik & Anr.

...Applicant/Plaintiffs

**Versus**

Fancy Builders Private Limited & 4 Ors.

...Defendants

WITH  
INTERIM APPLICATION NO. 6664 OF 2025  
IN  
SUIT NO. 245 OF 2023

Irfan Ashraf Furniturewala

...Applicant

**In the matter between :**

Aslam Alladatkhan Malik & Anr.

...Plaintiffs

**Versus**

Fancy Builders Private Limited & 4 Ors.

...Defendants

---

**Mr. Akshay Kolse Patil, Counsel** *a/w. Vinodini Srinivasan and Ayush Khandelwal i/b TRD Associates, for Applicant in IA-5623-2025.*

**Mr. Karl Tamboly** *ia/w. Malcom Siganporia i/b Ms. Nazaqat Lal, for Defendant No. 4 in IA-5896-2025.*

**Mr. Pierre Fernandes** *A/W. Siddhi Tari i/b Ivor Peter D'cruz, for Plaintiffs in S-245-2023.*

**Ms S. Saha,** *for Applicant in IA-1056-2024.*

**Adv. Ansar Baluvar,** *for Defendant No. 5 in IA-6664-2024.*

---

**CORAM : SOMASEKHAR SUNDARESAN, J.**

**Date : January 14, 2026**

**ORDER :**

1. Interim Application No. 1056 of 2024, and Interim Application No. 6664 of 2024 are Interim Applications filed online similar to the captioned Interim Application No.5896 of 2025. The aforesaid interim applications are not on board. By consent of the parties, these are taken on board and heard along with Sr. No. 72 on today's causelist.

2. All these Interim Applications, taken together, are Interim Applications by each of the initial five defendants who have not filed

their written statements within the timeframe expected in law. The delay on the part of Defendant No. 1 is 253 days. The delay on the part of Defendant Nos. 2 and 3 is 273 days. The delay on the part of Defendant No. 4 is 273 days, while the delay on the part of Defendant No. 5 is 166 days.

3. Learned advocates for the defendants/applicants submit that other Interim Applications were heard from time to time and the parties were busy protecting their interests in those proceedings, and therefore, failed to file their written statements in time. On the face of it, this is not a convincing excuse. However, considering that the suit has been allowed to be amended more recently to add a new Defendant No. 6, and, in the interest of justice, it would be appropriate to condone the delay, subject to each of the defendants paying costs to the plaintiffs in the sum of Rs. 10,000/-. Such costs shall be paid *no later than January 30, 2026*. Subject to proof of such costs having been paid to the plaintiffs, the Registry shall accept the written statements *no later than February 2, 2026*.

4. It is made clear that if the written statements are not filed by February 2, 2026, the right to file the written statements shall be forfeited.

5. Should any of the Defendants desire to supplement the

Written Statement so filed, liberty is granted to update the written statement and restate the same by adding any submissions sought to be made in this regard *no later than February 20 2026*. It is made clear that there shall be a composite, consolidated and updated written statement in this regard by *February 20, 2026*.

6. With the aforesaid directions, all the captioned Interim Applications are *disposed of*.

7. 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.]