

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

**INTERIM APPLICATION NO. 3433 OF 2025
IN
SUIT NO. 533 OF 2014**

M/S. BHAGWATI BUILDERS AND DEVELOPERS)...APPLICANT

V/s.

ANIL KUMAR HIRJEE AND ANOTHER)...RESPONDENTS

Mr.Xavier Fernando, Advocate for the Applicant/Original Plaintiff.

Mr.Aayush Barat i/by Mr.Mahernosh Humranwala, Advocate for the
Respondent/ Original Defendant no.2.

CORAM : ABHAY AHUJA, J.

DATE : 17th MARCH 2026

P.C. :

1. This Interim Application seeks extension of time of four weeks to file Affidavit in lieu of examination-in-chief along with Affidavit and Compilation of documents and list of witnesses.

2. Mr.Fernando, learned Counsel, appears for the Applicant and seeks indulgence of this Court while seeking extension and drawing this Court's attention to paragraphs 5 to 8 of the said application in support of his contention for extension of time to file Affidavit of evidence and Compilation of documents. Mr.Fernando submits that

this Court may subject the Applicant / Plaintiff to reasonable terms for the same.

3. Mr.Aayush Barat, learned Counsel appearing for the Defendant no.2, submits that a reply has been filed opposing the same as the Applicant / Plaintiff has delayed in complying with orders of this Court since over two years.

4. Having heard the learned Counsel and having considered the submissions and also having perused the reasons in paragraphs 5 to 7 of the Interim Application, this Court is of the view that subject to payment of costs of Rs.25,000/- within a period of two weeks to the Bar Council of Maharashtra and Goa's Advocate Academy and Research Centre, the Interim Application be allowed in terms of prayer clause (a).

5. Let the Plaintiff within a period of three weeks file an Affidavit in lieu of examination-in-chief of the Plaintiff's witness along with Affidavit and Compilation of documents duly indexed and paginated and serve the same upon the Defendants along with list of Plaintiff's witnesses.

6. The Interim Application accordingly stands allowed and disposed as above.

SUIT NO. 533 OF 2014

7. Discovery and inspection to be completed within a period of two weeks thereafter.
8. Defendants to file Statements of admission and denial within a period of two weeks thereafter with a copy to the other side.
9. List for marking of Plaintiff's documents on **16th June 2026**.
10. Let the Plaintiff's witness remain present in Court on the next date.
11. Let a chart indicating the exhibit numbers of the documents to be marked be placed before this Court on the next date.

(ABHAY AHUJA, J.)

ARTI
VILAS
KHATATE

Digitally signed
by ARTI VILAS
KHATATE
Date:
2026.03.18
21:34:27 +0530