

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

SUTT NO. 405 OF 2016

Rajesh Mohan Mahtani

...Plaintiff

Versus

The Managing Director, the Bombay

Mercantile Co-op Bank Ltd And 12 Ors.

...Defendants

WITH

INTERIM APPLICATION NO. 5019 OF 2025

WITH

NOTICE OF MOTION NO. 465 OF 2019

WITH

INTERIM APPLICATION (L) NO. 7303 OF 2025

WITH

NOTICE OF MOTION NO. 1253 OF 2017

WITH

NOTICE OF MOTION NO. 1586 OF 2017

WITH

CHAMBER SUMMONS NO. 574 OF 2018

WITH

INTERIM APPLICATION (L) NO. 11805 OF 2025

IN

SUTT NO. 405 OF 2016

Ms. Asmita Rajbhar, for the Plaintiff in S/405/2016.

Ms. Tejashree Parab i/b Rajesh Sharma & Associates, for Defendant Nos. 4 to 9.

Ms. Alfiya Diamondwala i/b Diamondwala & Co., for Defendant No. 11.

CORAM : ARIF S. DOCTOR, J.

DATE : 4th FEBRUARY, 2026

P.C.

NOTICE OF MOTION NO. 465 OF 2019
WITH
CHAMBER SUMMONS NO. 574 OF 2018

1. Learned counsel for the Plaintiff seeks leave to withdraw the captioned Notice of Motion and Chamber Summons.
2. The captioned Notice of Motion and Chamber Summons is thus dismissed as withdrawn.
3. Learned counsel for the Plaintiff, however, points out that the Chamber Summons is being withdrawn today because there are additional facts which the Plaintiff would like to place on record, for which purpose the Plaintiff shall file a composite Chamber Summons.

INTERIM APPLICATION NO. 5019 OF 2025

4. Learned counsel for the Applicant seeks the formal prayer for deletion of Defendant No.13, since Defendant No.13 has passed away.
5. Given this, there can be no opposition to such Interim Application being allowed. Hence, the Interim Application is accordingly allowed in terms of prayer clause (a).
6. Amendment to be carried out within a period of one week from today. As also, all references to Defendant No.13 in the Plaint shall also be amended.
7. The Interim Application is accordingly disposed of.
8. Stand over to **4th March 2026** along with S/405/2025, IA(L)/7303/2025, NMS/1253/2017, NMS/1586/2017 and IA(L)/11805/2025.

9. It is made clear that the Interim Application shall only be taken up if they are duly served on all concerned.

[ARIF S. DOCTOR, J.]