

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

**INTERIM APPLICATION NO. 5154 OF 2025
IN
SUIT NO. 491 OF 2023**

**Health View Holiday Resorts
Limited**

... Applicant

V/s.

**Sabina Lakdawala w/o. Late
Shri Yusuf M. Lakdawala & Ors.**

... Respondents

**WITH
INTERIM APPLICATION NO. 5043 OF 2025
WITH
INTERIM APPLICATION NO. 4053 OF 2025
IN
SUIT NO. 491 OF 2023
WITH
INTERIM APPLICATION NO. 4040 OF 2025
WITH
INTERIM APPLICATION NO. 4042 OF 2025
WITH
INTERIM APPLICATION NO. 4052 OF 2025
IN
INTERIM APPLICATION NO. 4053 OF 2025
WITH
INTERIM APPLICATION NO. 5317 OF 2025
WITH
INTERIM APPLICATION NO. 4858 OF 2025
WITH
INTERIM APPLICATION 4041 OF 2025
IN
SUIT NO. 491 OF 2023**

Mr. Rubin Vakil a/w. Mr. Manish Doshi and Ms. Heena Thalesar, Mr. Dhaval Periya i/b. Vimadalal & Co. for the Applicant

Mr. Mathew Nedumpara (thr. V.c.) i/b. Nedumpara & Nedumpara for the Plaintiff.

Mr. Nikhilesh Kounduniya a/w. Mr. Rajendra Rathod and Mr. Dhruv Jain for Respondents.

Mr. Malcolm Singanporia a/w. Mr. Rajendra Rathod & Dhruv Jain for Respondents.

Mr. Malcolm Singanporia i/b. Mr. Dhruv B. Jain for Applicant in IA(L) No. 41000 of 2025, Mr. Swayam Chopda, OSD Court Receiver Office of Court Receiver- Present.

Mr. Sharique Nachan a/w. Ms. Ashfak Khan i/b. Acquif Patel for Dr. Mohinuddin Maki – Licensee.

CORAM : FARHAN P. DUBASH, J.

Date : 12th January 2026

P. C. :

Interim Application No. 5317 of 2025

1. Mr. Nedumpara, learned Counsel who appears on behalf of the Plaintiff, seeks accommodation to file an Affidavit-in-Reply on behalf of his client to the present Interim Application. Mr. Rubin Vakil, learned Counsel who appears on behalf of the Applicant/Defendant Nos. 1, 2, 5, 6 and 7 opposes the same and states that despite several orders in the past, such a reply has not been filed and this is nothing but an attempt to delay the hearing of the present Interim Application.

2. As and by way of one last chance, Mr. Nedumpara is permitted

to file the reply of his client which shall be filed and served on all parties no later than 19th January 2026. Rejoinder if any shall be filed and served on or before 27th January 2026.

3. Mr. Rubin Vakil states that Defendant Nos. 3 and 4 have also not filed their reply to the present Interim Application and since time is being granted to the Plaintiff, similar directions must be issued against Defendant Nos. 3 and 4 as well. Accordingly, Defendant Nos. 3 and 4 are also granted one last indulgence and permitted to file an Affidavit-in-Reply if they so desire, which shall be done and served on or before 19th January 2026. Rejoinder if any shall be filed and served on or before 27th January 2026. Place the Interim Application for further consideration on 2nd February 2026.

INTERIM APPLICATION NO. 5154 OF 2025:

4. Mr. Rubin Vakil, learned Counsel appears on behalf of the Applicant in Interim Application No. 5154 of 2025 and submits that besides Defendant No.1, none of the other parties have filed their reply to this Interim Application. Replies if any shall be filed and served on or before 19th January 2026 and Rejoinder if any shall be filed and served on or before 27th January 2026. Place this Interim Application on 2nd February 2026.

Interim Application (L) No. 41000 of 2025:

5. Mr. Malcolm Singanporia, learned Counsel appears on behalf of the

Applicant in Interim Application (L) No. 41000 of 2025. He states that the said Interim Application seeks restoration of Interim Application (L) No. 16810 of 2025. He undertakes to serve a copy of this Interim Application on all the parties on or before 15th January 2026. Reply if any to such Interim Application shall be filed or served on or before 23rd January 2026. Rejoinder if any shall be filed or served on or before 30th January 2026. Place this Interim Application on 2nd February 2026.

6. Mr. Sharique Nachan, learned Counsel appears on behalf of Cosmedicure who is stated to be the occupant of Flat Nos. 5 and 6 situated in Pushpkunj Building, Ground Floor, Near Santacruz Police Station, Santa Cruz West, Mumbai – 40054. In compliance with paragraph no. 10 of the order dated 18th August 2025, Mr. Sharique Nachan tenders a list providing details of four Demand Drafts, each drawn on the Prothonotary and Senior Master of this Court for a sum of Rs. 64,800/- towards License fees for the months of September, 2025 till December, 2025. The said list is taken on record and marked 'X' for identification and the Applicant is directed to immediately deposit these Demand Drafts with the Office of Prothonotary and Senior Master on or before 14th January 2026 and thereafter immediately intimate all the parties of the same including the Court Receiver.

(FARHAN P. DUBASH, J.)

Mandar M.