

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

**INTERIM APPLICATION NO. 8022 OF 2025
IN
SUIT NO. 1815 OF 1998**

ADANI EXPORTS LIMITED)...APPLICANT

IN THE MATTER BETWEEN

ADANI EXPORTS LIMITED)...PLAINTIFF

V/s.

KAMLABEN MANSUKHLAL DESAI AND OTHERS)...DEFENDANTS

And

VIRAL M. MITHANI AND OTHERS)...RESPONDENTS

WITH

INTERIM APPLICATION NO. 637 OF 2026

IN

INTERIM APPLICATION NO. 8022 OF 2025

WITH

CHAMBER SUMMONS NO. 870 OF 2008

IN

NOTICE OF MOTION NO. 1706 OF 1998

Mr.Vyom Shah a/w. Ms.Manisha Virkhare through video conferencing,
Advocate for the Plaintiff / Applicant in IA/8022/2025.

Mr.Harshil Parekh a/w. Mr.R. Agrawal, Advocate for the Respondent
no.2.

Mr.Swayam Chopda, Officer on Special Duty, Court Receiver's Office,
present in Court.

CORAM : ABHAY AHUJA, J.

DATE : 5th MARCH 2026

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INTERIM APPLICATION NO. 637 OF 2026

1. This Interim Application seeks to bring on record legal heirs of deceased Respondent no.3.
2. Mr.Vyom Shah, learned Counsel, appears for the Applicant and submits that the Respondent no.3 has died on 22nd May 2025 and intimation of the same was received on 17th January 2026 after which this Interim Application has been filed to bring the heirs/legal representatives of the said Respondent no.3 on record. That, this Court may condone the delay, if any, and set aside the abatement, if any, and bring the heirs/legal representatives on record in place of the deceased Respondent no.3.
3. The learned Counsel appearing for the heirs of the deceased Respondent no.3 as listed in the schedule, submits that he has no objection if the Interim Application is allowed.
4. Having heard the learned Counsel and having considered the submissions, in the light of the application, this Court is of the view that the Interim Application be allowed.

5. The delay is condoned. The abatement is set aside. The Interim Application is allowed in terms of prayer clause (a), which reads thus :

(a) That this Hon'ble Court be pleased to carry out the amendment as per the Schedule annexed hereto.

6. Let the legal heirs of the deceased Respondent no.3 be brought on record. Let the amendments be carried out within a period of two weeks and the amended proceedings be served in two weeks thereafter.

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

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8. Mr.Swayam Chopda, Officer on special duty, Court Receiver's Office, is present in Court and seeks some more time to file a report on behalf of the Court Receiver, submitting that there are outstanding income tax and custom dues.

9. Let the report be furnished by the next date.

10. List on **20th April 2026**.

(ABHAY AHUJA, J.)