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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION (L) NO. 746 OF 2014
IN
SUIT (L) NO. 291 OF 2014

Khuzemabhai Syedna Taher Saifuddin Sahab ...Plaintiff
Versus
Mufaddal Burhanuddin Saifuddin ...Defendant

Mr. Ravi Kadam, Senior Advocate, with Mr. Chirag Mody, Mr. Anand Desai, Mr. Hemani Abhyankar, *ilby DSK Legal, for the Plaintiff.*

Mr. Iqbal Chagla, Senior Advocate, with Mr. Janak Dwarkadas, Senior Advocate, Mr. Fredun Devitre, Senior Advocate, Mr. EAK Faizullaboy, Mr. Varghese Thomas, Mr. Pankaj Savant, Mr. Firdosh Pooniwalla, Mr. Juzer Shakir, Mr. Walter Lewis, Ms. Azmin Irani, Mr. Shahen Pradhan, *ilby Mulla & Mulla & Craigie Blunt & Caroe, for the Defendant.*

CORAM: G.S. PATEL, J
DATED: 29th April 2014

PC:-

1. This matter was listed today for hearing of an ad-interim application by the plaintiff. A substantial affidavit in reply has, in the meantime, been filed with the leave of the Court. That affidavit is

dated 23rd April 2014. It has several annexures. Mr. Kadam, learned senior counsel for the plaintiff, states that this affidavit in reply necessitates a detailed rejoinder. It is agreed that the notice of motion itself will now be taken up for final disposal on the next date.

2. Affidavit in rejoinder to be filed and served no later than 13th June 2014. If any extension of time is required, the plaintiff must apply to the Court for that extension.

3. The affidavit in reply has been affirmed by a Constituted Attorney of the defendant. It may be necessary for the defendant to furnish a fresh Power of Attorney or to file a further short affidavit confirming the statements made on his behalf. If that is done, a copy of that fresh Power of Attorney or further affidavit shall be immediately served on the advocates for the plaintiff well in advance.

4. At this stage, Mr. Chagla, learned senior counsel for the defendant states that the affidavit in reply now filed, at a mere 494 pages, is a "limited" affidavit for the purposes of this ad-interim application. The defendant may want to file a further, and even more substantial, affidavit in reply. Should he want to do so, that further affidavit in reply is to be filed and served no later than 13th May 2014. The affidavit in rejoinder referred to earlier shall deal with the first affidavit in reply as also the second, if filed.

5. Mr. Chagla points out that there is an inadvertent error in pages 451 to 456. Liberty to the defendant to substitute these pages. That shall be done on or before 5th May 2014.

6. List the matter for directions on 16th June 2014.

(G. S. PATEL, J.)

Bombay High Court