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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION (L) NO. 2234 OF 2014

IN

THIRD PARTY NOTICE NO. 9 OF 2014

IN

SUIT NO. 173 OF 2014

National Spot Exchange Limited ... Applicant/Defendant No.2

Modern India Limited & Ors. ...Plaintiffs

vs.

Financial Technologies (India) Ltd. & Ors. ...Defendants

And

Aastha Minmet India Pvt. Ltd. & Ors. ...Third Party Noticees

.....

Mr. Virag Tulzapurkar, Senior Counsel, a/w. Mr. Ameet Naik, Ms. Anuja Jhunjhunwala, i/b. Naik Naik & Co., for the Applicants.

Mr. Akshay Patil, Ms. Hiral Thakkar, i/b. Federal & Rashmikant, for the Plaintiffs.

Yadav P.R., for Third Party Noticee Nos. 1, 2 and 3.

Mr. Vivek Shetty, i/b. DSK Legal, for Defendant No.21.

CORAM : S.C. GUPTE, J.

DATED : SEPTEMBER 26, 2014

P.C. :

. The Notice of Motion is taken out by Original Defendant No.2 against Third Party Noticees, praying for injunctive reliefs in respect of the properties of the latter. The Notice of Motion is in the nature of an application for attachment before judgment.

2. Learned Counsel for the Third Party Noticee Nos. 1, 2 and 3 makes a statement that his clients shall not dispose of or create any third party rights or part with possession of the immovable properties and assets including those described in Exhibit "J" and "K" to the affidavit in support of the Notice of Motion.

3. Learned Counsel further states that his clients shall disclose on affidavit the particulars in terms of prayer clause (e) within a period of three weeks from today.

4. Reply to the Notice of Motion to be filed within three weeks.

5. Rejoinder, if any, within one week thereafter.

6. In the meantime, there shall be ad-interim injunction in terms of prayer clause (f) against Third Party Noticee No.4. There shall also be an order for disclosure against Third Party Noticee No.4 in terms of prayer clause (e). Such disclosure be made within a period of three weeks from today.

(S.C. GUPTE, J.)