

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CIVIL MISCELLANEOUS JURISDICTION No.296 of 2023**

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1. M/S Shilpi Enterprises through its Partners Mr. Chandrashekhar Hingarh and Mr. Bharat Jain (Rathod), a partnership firm having address at 007, Madhuparag, 6th Floor, 69, Swastik Society, Narsee Munjee Road, JVPD, Mumbai- 400056.
2. Mr. Chandrashekhar Hingarh S/o Shri Champalal Hingarh, Partner of M/s Shilpi Enterprises having address at 007, Madhuparag, 6th Floor, 69, Swastik Society, Narsee Munjee Road, JVPD, Mumbai- 400056.
3. Mr. Bharat Jain (Rathod) S/o Sri Bhaktawarmal Jain (Rathod), Partner of M/s Shilpi Enterprises having address at 007, Madhuparag, 6th Floor, 69, Swastik Society, Narsee Munjee Road, JVPD, Mumbai- 400056.

... .. Petitioner/s

Versus

1. Mr. Shashank Rathod S/o Sri Kiran Rathod, Resident of A-501, Shouryapuri Residency, Anand, Nagar, Sagrampura, Surat City, Gujrat- 395002, presently at Aarut, P.S. Rosera, District- Samastipur.
2. Mr. Bharat Jain S/o Sri Hamirlal Jain, partner of M/s Swagat Developers, having its address at ground Floor No. 1 to 4, Annapurna Niwas, Malvani Church, Mare Road, Malwani, Malad (West), Mumbai- 400095.
3. Mr. Gajraj Jain S/o Sri Hamirlal Jain, Partner of M/s Swagat Developers having its address at ground Floor No. 1 to 4, Annapurna Niwas, Malvani Church, Mare Road, Malwani, Malad (West), Mumbai- 400095.
4. Mr. Amrit Jain S/o Sri Jamirlal Jain, partner of M/s Swagat Developers having its address at ground Floor No. 1 to 4, Annapurna Niwas, Malvani Church, Mare Road, Malwani, Malad (West), Mumbai- 400095.
5. M/s Swagat Developers, a partnership firm, through its Partners Mr. Bharat Jain Mr. Gajraj Jain and Mr. Amrit Jain, having its address at ground Floor No. 1 to 4, Annapurna Niwas, Malvani Church, Mare Road, Malwani, Malad (West), Mumbai- 400095.
6. Varun M. Pandey, Advocate, High Court, Mumbai, bearing office at 1/A, Shiv Sadan Building, Lala Lajpat Rai Road, Goras Wadi, Malad (West), Mumbai- 400064.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Umesh Pd. Singh, Sr. Advocate  
Mr. Kumar Manish, Advocate  
Mr. Ankit Katriar, Advocate  
For Respondent no 2to4 : Mr. Sanjay Kumar  
For Respondent no. 1 : Mr. Ansul, Advocate

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**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

4 31-10-2023

Heard the parties.



2. Pursuant to the impugned order dated 09.10.2023, petitioner no. 2 has appeared before this Court and his personal appearance is dispensed with.

3. Respondent nos. 1 to 6 and the lawyer appearing for the plaintiff in T.S. No. 428 of 2022 pending in the court of learned Sub-Judge 1<sup>st</sup>, Rosera Samastipur are directed to appear on 06.11.2023 at 02:30 P.M.

4. List this case *on 06.11.2023 for further hearing.*

(Sandeep Kumar, J)

Harsh/

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