IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION (ST) NO. 37741 OF 2026

WITH

INTERIM APPLICATION (ST) NO. 38273 OF 2026

IN

SUIT (ST) NO. 35570 OF 2026

BASAVRAJ GURAPPA PATIL

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Date: 2026.11.19 18:12:11 +0530

Dr. Bavaguthu Raghuram Shetty
Through His Constituted Attorney
Dr. Shishir Shetty … Applicant/Plaintiff

Versus

Bank Of Baroda & Ors. … Respondents/Defendants

Mr. Zal Andhyarujina, Senior Advocate with Mr. Waseem Pangarkar, Mr. Abhishek Gupta, Ms. Maithili Prabhu, Ms. Bhoomi Shah, Mr. Chinmay Bambarkar and Mr. Yash Sinha i/b. MZM Legal LLP for the Applicant/Plaintiff.

Dr. Birendra Saraf, Senior Advocate with Mr. Robin Fernandes, Mr. Dharmendra Chatur, Mr. Aayush Shah, Mr. Adithya Nair and Mr. Harshit Bhimrajka i/b. M/s. Vesta Legal for Defendant No.1.

CORAM : ARIF S. DOCTOR, J.

DATE : 19th NOVEMBER 2026

P.C.

1. Mr. Andhyarujina, Learned Senior Counsel appearing for the Plaintiff, has

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today pressed for ad-interim relief in terms of an order of disclosure by Defendant No. 1, i.e., the Bank of Baroda, in respect of documents more particularly set out in the Interim Application.

2. He submits that the present Suit has been filed seeking to recover by way of damages, USD 15 billion from the Defendants on account of what he submits had been a fraud that has been perpetrated upon the Plaintiff by the Defendants who are either the employees of Defendant No. 1 or, then employees/former employees who held key managerial positions at a company called NMC Healthcare LLC, of which the Plaintiff is the founder. He submits that on account of various acts of omission and commission on the part of the Defendants, the Plaintiff has suffered huge financial losses.

3. Mr. Andhyarujina has therefore sought an order of disclosure directing Defendant No. 1 to disclose various documents, more particularly described in the Schedules annexed to the Interim Application, which are stated to be in the possession of Defendant No. 1, which he submits would establish the fraud that has been perpetrated upon the Plaintiff and also the role of the

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Defendants in such fraud.

4. Dr. Saraf, Learned Senior Counsel appearing for Defendant No. 1, opposes the grant of any ad-interim relief and prays for time to file a reply. He submits that the cause of action, if any, arose in 2020, as pleaded in the Plaint.

5. Dr. Saraf further informs the Court that Defendant No. 1 has only this morning filed an Interim Application seeking deferment of the hearing of the present Application. He informs the Court that in certain proceedings which had been instituted between the parties in Abu Dhabi, a judgement has been delivered which holds that the Plaintiff is complicit in the fraud which the Plaintiff now claims to have been perpetrated.

6. Mr. Andhyarujina submits that neither has any Application been served upon his clients, nor have they been informed of its filing. He then submitted that, if this Court was not inclined to grant an order of disclosure at this stage, Defendant No. 1 then be directed to preserve all such documents as mentioned in the Schedules to the Interim Application until the next date of hearing to ensure that the same are not either destroyed, tampered with and/or

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interpolated.

7. Dr. Saraf submits that the documents in question already form part of the proceedings before the Abu Dhabi Court, and therefore the need for passing any order of preservation of those documents does not arise and that the apprehensions expressed by the Plaintiff in this regard are wholly baseless. He, however, assures the Court that all such documents forming part of the Schedule to the Interim Application and in the custody or control of Defendant No. 1 shall be preserved as they are. His statement is accepted.

8. Dr. Saraf also submits that the present proceedings are barred by Rule 89 of the Abu Dhabi Global Market Court of First Instance, Court Procedure Rules, 2016. Mr. Andhyarujina disputes this contention and submits that Rule 89 has no application to the present proceedings. This issue will be considered after the Reply-Affidavit is filed.

9. Dr. Saraf submits that Defendant No. 1 shall file its Reply-Affidavit within a period of three weeks from today, with an advance copy to the other side. He assures the Court that no extension of time will be sought for filing the Reply-

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Affidavit.

10. Mr. Andhyarujina submits that the Rejoinder-Affidavit shall also be filed within five days thereafter. Learned Counsel also undertakes to file an Affidavit of Service to prove service upon the other Respondents who he submits have been served but have today not appeared.

11. Stand over to **17th December 2026** for ad-interim relief.

[ARIF S. DOCTOR, J.]

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