

FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NOS. 3746 AND 3747 OF 2016
IN
FIRST APPEAL NO. 414 OF 2010
Katijabai w/o. Babu Tambe (since deceased) and ors.
vs.
Godrej & Boyce and anr.

Office Notes, Office
memorandum of Coram,
appearance, Court's
orders or directions &
Registrar's orders.

Court's or
Judge's orders.

Mr. M.V. Holmagi for the Applicants.
Mr. M. G. Gawde for Respondent No.1.
Ms M.R. Bhoir for Respondent No.2-BMC.

CORAM : M. S. SONAK, J.
DATE : 10 JANUARY 2017.

P.C. :-

1] The delay in filing these applications are condoned. For the reasons set out in both the civil applications, the order dismissing the appeal for non-prosecution is recalled and the appeal is restored to the file. However, this shall be subject to payment of costs of Rs.2,000/- to respondent Nos.1 and 2 in equal proportion. Such costs to be paid within two weeks from today.

2] It is clarified that the interim relief granted earlier, is not being restored, since the appeal itself is to be placed for admission. At that stage, the application for interim relief will be considered afresh.

3] Both the civil applications are disposed of. Place the restored appeal and application for interim relief for admission on 31 January 2017, since, in the meantime, it is expected that the applicants will pay the amount of costs.

(M. S. SONAK, J.)