

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 888 OF 2017
IN
APPEAL FROM ORDER NO. 1068 OF 2004**

Virendar Kumar B. Jhamb	...	Applicant
V/s.		
Irfan Furniturewalla & Ors.	...	Respondents

- Ms.Prachi Khandge i/b. M.P. Vashi & Associates for Applicant.
- Ms.Iram Memon i/b. Mr.S.I. Menon for Respondent No.1.
- Mrs.Madhuri More for Respondent No.4-Corporation.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 15th OCTOBER, 2018.

P.C. :

- 1] Heard learned counsel for the parties.
- 2] This is an application for restoration of the Appeal which came to be dismissed for default on 06/01/2017.
- 3] Considering that the suit is of the year 2004 and the Appeal is preferred against the order passed in the said suit and now it is submitted that the Appellant has also expired, therefore it would be just and proper to direct the parties to go and agitate all the issues between them before the trial Court itself. Moreover, during the pendency of the trial, no interim relief is granted.
- 4] In view thereof, this Application stands disposed of as dismissed.

[DR.SHALINI PHANSALKAR-JOSHI, J.]