

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

**CIVIL APPLICATION NO. 2066 OF 2018
WITH
CIVIL APPLICATION NO. 2067 OF 2018
IN
FIRST APPEAL STAMP NO. 10103 OF 2018**

Sumermal Mishrimal Bafna
(Since deceased)
1(a) Godavari Sumermal Bafna and others ... Applicants
In the matter between
Sumermal Mishrimal Bafna
(Since deceased)
1(a) Godavari Sumermal Bafna and others ... Appellants
Versus
Nihalchand Nemichand Kothari and others ... Respondents

**WITH
CIVIL APPLICATION NO. 2421 OF 2018
WITH
CIVIL APPLICATION NO. 2422 OF 2018
IN
FIRST APPEAL STAMP NO.17391 OF 2018**

Nihalchand N. Kothari and others ... Applicants
Versus
Godavari Sumermal Bafna and others ... Respondents

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Mr. Vineet B. Naik, Senior Advocate a/w Mr. Vivek Kantawala,
Mr. Amey Patil, Ms. Hetal Jobanputra, Mr. Vivek M. Sharma i/b
M/s. Vivek Kantawala & Co. for the Applicants/Appellants in
FA(St) No.10103/2018 with CAF 2066, 2067 of 2018.

Mr. Vijaysinh V. Thorat, Senior Advocate a/w Akshay P. Jadhav,
Advocate for the applicants in CAF No. 2421 of 2018, CAF
No.2422 of 2018.

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CORAM : A. S. CHANDURKAR, J.

DATE : 18th DECEMBER, 2018.

P. C.:

CIVIL APPLICATION NO. 2066 OF 2018

AND

CIVIL APPLICATION NO. 2421 OF 2018

. Considering the fact that both the parties have filed cross appeals, the delay in filing the respective appeals stands condoned. The applications are allowed and disposed of.

CIVIL APPLICATION NO. 2067 OF 2018

1. On the statement made by the learned Senior Counsel for the parties, there shall be ad-interim relief in terms of prayer clause (C) till the returnable date.

2. The appeal to come up for admission on 22nd January, 2019.

CIVIL APPLICATION NO. 2422 OF 2018

1. On the request made on behalf of the applicants the Civil Application is permitted to be withdrawn with liberty to file a fresh application making similar prayers.

2. The civil application is disposed of.

(A. S. CHANDURKAR, J.)