

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
LETTER PATENT APPEAL NO.278 OF 2012

Satish s/o Dr.M.S.Joshi ...Appellant
vs.
Bank of Maharashtra & Ors. ...Respondents

Mr.H.S.S.Murthy I/b Ms Pinky Bansali for the
Appellant
Mr.Jayesh Desai a/w Durgaprasad Halwai I/b Singhi &
Co. for the respondent No.1

CORAM : A.S.OKA, &
M.S.SONAK, JJ.
DATE : SEPTEMBER 18, 2018

P.C.:

1 Our attention is invited to the decision of the
Apex Court in the case of Life Insurance Corporation
of India vs. Nandini J. Shah and others¹. There is
no dispute that in view of the law laid down by the
Apex Court in the said decision, this Letter Patent
Appeal is not maintainable.

2 The learned counsel for the appellant seeks continuation of interim relief which request is opposed by the learned counsel for the respondent. However, we find that by order dated 5th July 2018, after hearing the contesting respondents, the appeal was admitted and interim relief was granted.

3 We, therefore, dispose of this Appeal as not

maintainable. To enable the appellant to adopt appropriate remedy against the impugned Judgment and Order, we direct that interim relief granted on 5th July 2018 will continue to operate for a period of eight weeks weeks from today.

(M.S.SONAK,J.)

(A.S.OKA,J.)