

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

**CIVIL APPLICATION NO. 371 OF 2018
WITH
CIVIL APPLICATION NO. 33 OF 2019
IN
REVIEW PETITION NO. 1 OF 2018
IN
LETTERS PATENT APPEAL NO. 150 OF 1994
IN
FIRST APPEAL NO.540 OF 1977**

Aspi Deboo	...	Applicant/Petitioner
V/s.		
Jamshed S. Mistry & Ors.	...	Respondents

Ms. Priyanka Vegad for the Petitioner/Applicant.
Mr. Mohit Aroa a/w Mr. Sunil Gangan and Mr. Akshat Shah i/b RMG Law Associates for the proposed Respondent 1A.
Ms. Sneha Phene a/w Mr. Zain Najam-ES-Sani for Respondent No.2.

**CORAM : A.A. SAYED AND
RIYAZ I. CHAGLA, JJ.**

DATE : 12th FEBRUARY, 2019.

ORDER :

1 The Civil Application No.371 of 2018 is taken out to bring the heirs of the deceased Respondent Nos.1, 3 and 4 on record. The Civil Application is allowed in terms of prayer clauses (a) and (b). Amendment to be carried out before the next date. The Civil Application No.371 of 2018 to stand disposed of.

2 In the Civil Application No.33 of 2019, we record the statement of the learned Counsel for Respondent No.2 Dr. Avan Dadina, on instructions, that pending the Review Petition, possession of the premises covered by the impugned order dated 07.07.2008 shall not be taken from the proposed Respondent No.1A Mr. Ruzbeh J. Mistry. Civil Application No.33 of 2019 to stand disposed of accordingly.

3 List the Review Petition on 05.03.2019.

(RIYAZ I. CHAGLA J.)

(A.A. SAYED, J.)