

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

APPEAL (L) NO. 169 OF 2019
IN
NOTICE OF MOTION NO. 628 OF 2019
IN
SUIT NO. 966 OF 2011

Atul Arvind Kamdar .. Appellant
v/s.
Deven Hemant Shah .. Respondent

APPEAL (L) NO. 171 OF 2019
IN
NOTICE OF MOTION NO. 628 OF 2019
IN
SUIT NO. 966 OF 2011

Khimji G. Kamdar & Anr. .. Appellants
v/s.
Deven Hemant Shah & Anr. .. Respondents

NOTICE OF MOTION (L) NO. 354 OF 2019
IN
APPEAL (L) NO. 169 OF 2019
IN
NOTICE OF MOTION NO. 628 OF 2019
IN
SUIT NO. 966 OF 2011

Atul Arvind Kamdar .. Appellant
v/s.
Deven Hemant Shah .. Respondent

NOTICE OF MOTION (L) NO. 356 OF 2019
IN
APPEAL (L) NO. 171 OF 2019
IN
NOTICE OF MOTION NO. 628 OF 2019

IN
SUIT NO. 966 OF 2011

Khimji G. Kamdar & Anr.

.. Appellants

v/s.

Deven Hemant Shah & Anr.

.. Respondents

Mr. Kalpesh Shah A/W Ms. Prachi Shah i/b Kalpesh Joshi Associates for the appellant

Mr. Ruchi Tolat i/b L.C. Tolat & Co. for the respondents in both the appeals

**CORAM : M.S. SANKLECHA &
NITIN JAMDAR, J.J.**

DATED : 16th SEPTEMBER, 2019

P.C.

1. These appeals have been kept on board for directions at the instance of the respondents. It is the grievance of the respondents that the appeals filed by the appellant challenge the impugned order dated 22nd March, 2019 passed in favour of the respondents. There has been ad-interim stay granted of the order dated 22nd March, 2019 on 1st April, 2019 and the same causes prejudice to the respondents. The appellants herein have not been removing office objections, consequently the appeals itself are not coming on board for consideration.

2. It is further pointed out to us that the appellants have sought

extension of time from the Registry to remove the office objections by 20th September, 2019. In fact, it is alleged that the appellants have been seeking time to remove office objections again and again, only to frustrate the respondents from enjoying the benefit of the order dated 22nd March, 2019 in his favour.

3. In the above facts, it is made clear that in case the appellants do not remove the office objections on or before 23rd September, 2019, the appeals shall stand dismissed without further reference to the Court.

4. In case, the appeals are numbered on or before 23rd September, 2019, the appeals to be listed on board on 30th September, 2019.

(NITIN JAMDAR, J.)

(M.S. SANKLECHA, J.)