

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

**FIRST APPEAL NO. 1308 OF 2018
ALONGWITH
CIVIL APPLICATION NO. 4249 OF 2018
ALONGWITH
CIVIL APPLICATION (ST) NO. 25005 OF 2019
IN
FIRST APPEAL NO. 1308 OF 2018**

Naina Shantilal Dave

..... Appellant

VERSUS

Sureshchandra Mansukhlal Vashani

Since deceased

Premal Sureshchandra Vashani & Ors.

..... Respondents

Mr.Rajesh Shah, a/w. Ms.Purnima G. Bhatia, Ms.Neelam Vyas,
Mr.Roshan D., Mr.Akash Kotecha for the Appellant.

Mr.Ashok Pande, a/w. Mr.Shobit Shukla for the Respondent nos. 1a, 1b
and 2.

Mr.Rubin Vakil, a/w. Ms.Harsha Sawant, i/b. M/s.Vimadalal & Co. for
the Respondent nos. 3 and 5.

Ms.Juhi Dave, i/b. M/s.Dhruve Liladhar & Co. for the Respondent nos.
3A and 3B.

Mr.Kunal A. Goswami for the Applicant in CAFST/25005/2019.

CORAM : R.D. DHANUKA, J.

DATE : 17th FEBRUARY, 2020

P.C.

Place this first appeal on board for admission on **12th March, 2020**. Without prejudice to the rights and contentions of the appellant and the respondent nos. 1a, 1b and 2, the respondent nos. 1a, 1b and 2

are permitted to withdraw the amount deposited by the respondents pursuant to the impugned decree dated 3rd February, 2018 passed by the trial court.

2. The trial court is directed to release the amount to Respondent nos. 1a, 1b and 2 within two weeks from the date of the communication of this order.

3. Till next date, the execution, implementation and effect of the impugned judgment and decree dated 3rd February, 2018 is stayed.

4. The trial court as well as the parties to act on the authenticated copy of this order.

5. Office is directed to accept additional paper book proposed to be filed by the respondent nos. 1a, 1b and 2 if filed within two weeks from today.

[R.D.DHANUKA, J.]