

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
[COMMERCIAL DIVISION]

INTERIM APPLICATION NO.2008 OF 2020
IN
EXECUTION APPLICATION (LODGING) NO.2265 OF 2019
IN
COMMERCIAL ARBITRATION PETITION (LODGING) NO.118 OF 2018

Kutchhi Jain Seva Samaj Ahmedabad and Anr. .. Applicants
Vs.
Prabhavati Poonamchand Shah @ Babriya and Ors. .. Respondents

Mr. Bhavin Gada, i/by L.D. Shah & Co., for the Applicants.
Mr. Vijay Vaghela for Respondent Nos.1.1, to 1.4.

CORAM : A. K. MENON, J.
DATED : 25TH FEBRUARY 2021.

P.C. :

1. This IA seeks restoration of an execution application, which came to be dismissed for want of prosecution on 10th February 2020. Mr. Gada submits that the absence of the applicants was not intentional and that for the reasons set out in paragraph 3 of the IA, this application may be allowed.

2. In view thereof, I pass the following order :-

- (i) IA is made allowed in terms of prayer clauses (a) and (b).
- (ii) All office objections to be removed within two weeks from today, failing which the execution application will

stand dismissed without further reference to the court
and no application for restoration will thereafter be
entertained.

(iii) IA is disposed in the above terms.

(A. K. MENON, J.)