

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**7 CIVIL APPLICATION NO.12015 OF 2022  
IN WP/11026/2018**

**AMBIKA YANTRAMAG VASTRA UTPADAK INDL CO OPERATIVE SOCIETY  
THROUGH ITS CHAIRMAN  
VERSUS  
LALITA MALLESHAM KADVERI (DIED) THROUGH LRS RAJENDRA  
MALLESHAM KADVERI AND OTHERS**

...  
Advocate for Applicant : Mr. S.P. Salgar h/f. Gaware Niteen V.  
Advocate for Respondents : Mr. N.B. Narwade  
...

**CORAM : M.G. SEWLIKAR, J.  
DATE : 22<sup>nd</sup> August, 2022**

**PC.:-**

Heard.

2. Learned counsel for the petitioner submits that by passing order on 4<sup>th</sup> January, 2019, this Court had directed the petitioner to take steps to bring LR's of deceased respondent no.9 on record and serve respondent nos.25 and 43 within three weeks from that date failing which ad interim relief will stand vacated without reference to the Court on 28<sup>th</sup> January, 2019. Learned counsel for the petitioner submits that petitioner has undergone surgery and therefore he was not in a position to take steps.

3. Learned counsel for the respondents submit that there is gross delay in moving the application. He submits that he has no objection for restoring the interim relief if cost of Rs.5,000/- is imposed on the petitioner. In view of this, ad interim relief granted earlier shall stand restored subject to payment of cost of Rs.5,000/- to be paid to High Court Legal Services Sub-Committee, Aurangabad. Cost be paid within 15 days. Payment of cost is a condition precedent. Application is disposed of.

**[M.G. SEWLIKAR, J.]**