

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

**INTERIM APPLICATION NO.17275 OF 2022
IN
APPEAL FROM ORDER STAMP NO.13081 OF 2022
WITH
APPEAL FROM ORDER STAMP NO.13081 OF 2022
WITH
INTERIM APPLICATION STAMP NO.18469 OF 2022**

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The General Manager,
Telecommunication

..Applicant/Appellant

Versus

Shri. S. N. Kapoor Son of
Shri. Somnath Kapoor & Anr.

..Respondents

Mr. Bernard Reis i/by Arun Sakpal & Co., for the Applicant/
Appellant.

Mr. Madhur Surana i/by C. N. Gole, for the Respondents.

CORAM : NITIN W. SAMBRE, J.

DATE : 21st NOVEMBER, 2022

PC.

1. Heard. Perused the order impugned.
2. It is an admitted fact that the respondent was Power of Attorney holder during the time when his father was alive who was the plaintiff in the suit. The suit was dismissed on 6th February, 2014, so also the notice of motion taken out thereafter.
3. Vide order impugned not only the suit is restored but the

Court below has failed to record findings on the issue of presence of sufficient cause. That being so, appeal is **Admitted**.

4. There shall be stay to the further proceedings in the suit.
5. Hearing expedited.
6. Both the interim applications as such stand disposed of.

[NITIN W. SAMBRE, J.]