

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

**INTERIM APPLICATION NO. 19997 OF 2022
WITH
FIRST APPEAL NO. 1307 OF 2022**

Kaumudi P. Kothari ... Applicant/Appellant

Versus

Central Warehousing Corporation & Anr. ... Respondents

**WITH
INTERIM APPLICATION (ST.) NO. 24873 OF 2022
WITH
FIRST APPEAL (ST.) NO. 24872 OF 2022**

Mr. Pradeep J. Thorat i/b Aditi S. Naikare for the Applicant/Appellant.
Mr. Bharat P. Satra and Pooja Jalgaonkar for Respondent Nos.1 and 2.

CORAM : R.I. CHAGLA, J.

DATED : 23rd NOVEMBER, 2022.

ORDER :

1 The Applicant/Appellant has taken out Interim Application seeking a stay on the operation, implementation and execution of Clause-C of the operative part of the impugned judgment dated 30.08.2022 passed by the City Civil Court, Mumbai, in Summary Suit No.8434 of 2002.

2 Considering the narrow conspectus of the matter, the First Appeal is required to be heard and disposed of at the admission stage. Till the disposal of the Appeal, the operation, implementation and execution of Clause No.C of the judgment dated 30.08.2022 passed by the City Civil Court, Mumbai, in Summary Suit No.8434 of 2002, is stayed.

3 Interim Application is accordingly disposed of.

4 Notice for final hearing at the stage of admission to the Respondents is waived.

5 First Appeal shall be placed on 10.01.2023 at 2.30 p.m for final hearing at the admission stage.

6 The Appellant to file paper within four weeks.

7 First Appeal (ST.) No. 24872 of 2022 and Interim Application (ST.) No.24873 of 2022 to be heard along with the above First Appeal, on 10.01.2023 at 2.30 p.m.

(R.I. CHAGLA, J.)