

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 1216 OF 2021
IN
FIRST APPEAL NO.633 OF 2012**

Ravindra Anand Dethe

....Applicant

Versus

Gafur Gulab Shaikh & anr.

....Respondents

Ms. Rina Kundu, Advocates for the Applicant.

Ms.Kalpana r. Trivedi, Advocate for the Respondent for Respondent No.2.

CORAM : S. G. DIGE, J.

DATE : 6th MARCH 2023.

P.C. :

1. Heard learned counsel for the applicant and learned counsel for respondents.

2. Considering the submissions of both learned counsel, the order passed by this Court dated 24th January 2019 (Coram : Dr. Shalini Phansalkar-Joshi, J.) is recalled. The application is allowed in terms of prayer clauses (a) and (b) and disposed of.

3. The applicant shall not claim interest for the delayed period of 1 year, 11 months & 10 days, in case, the applicant succeeds in the appeal. The applicant shall file an undertaking to that effect.

4. The applicant shall file paper book within four weeks.

(S. G. DIGE, J.)