



Uday S. Jagtap

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

**FIRST APPEAL NO. 518 OF 2014
WITH
INTERIM APPLICATION NO. 14278 OF 2023
IN
FIRST APPEAL NO. 518 OF 2014**

Maresh Kalyanji Shah

.. Appellant

Vs.

Mohanlal Manshi Shah & Ors.

.. Respondents

.....
Mr. Jayom Shah a/w Vidhi Mehta i/b Aagam Doshi for the appellant
Mr. Bhavin H. Gada a/w Mr. Harakhchand Gada & Mr. Dhaval M.
Visawadia i/b Harakchand & Co. for respondent nos. 1 to 5, 7, 9 to
14 and 14(A) to 14(E)
Ms. Hetal Patel a/w Mr. Suraj Shetye for respondent nos. 3 and 5
Ms. Yogini D. Gada for respondent nos. 15 and 16
Mr. Mahesh Shah present in Court
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CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 30th AUGUST, 2023

P.C.

1. Learned Counsel for the parties have tendered Minutes of Order in respect of the consent terms arrived at between the appellants and the Respondent nos. 1 to 5, 7, 9 to 14, 14(A) to 14(E), 15 and 16.

2. The two Power of Attorney holders namely, Nalin Keshavji Ajani and Visanji Hansraj Dedhia are present before the Court on behalf of rest of the respondents. The consent terms are taken on record and marked "X" for identification.

3. The appellant and the respondents accepted and agreed with the recitals of the consent terms. The minutes of order, dated 30th August, 2023 reads thus :-

“1. The respondents states that the respondent nos. 4, 9, 11 & 14 are no more Trustees of “Shri Sahasra Fana Parasnath Jain Temple and its Sadharan Fund & Shri Matunga Kutchi Murtipujak Jain Swetamber Sangh Funds Trust” (the said Trust). The appellant accepts and confirms the same and therefore applies for the deletion of respondent no.4, 9, 11 & 14 from the title of this First Appeal. The names of respondent no.4,9,11 and 14 be delted from the title of this Appeal and other proceedings in the Appeal.

2. The respondents no.6 & 8 have expired on 3rd February 2019 & 21st February 2021 respectively and therefore the Appeal stands abated against the respondent no.6 & 8. The names of respondents 6 and 8 be deleted from the title of this Appeal and other proceedings.

3. The respondents state and declare that (i) Mr. Pankaj Laxmichand Dedhia, (ii) Mr. Satish Ratanshi Pasad, (iii) Mr. Amrutlal Moraji Nandu, (iv) Mrs. Naynaben Prithviraj Momaya and (v) Mr. Uttam Visanji Shah are newly appointed and the present Trustees of the said Trust and

accordingly the appellant applies for adding them as party respondents no.14A, 14B, 14C, 14D and 14E to the present Appeal and to carry out the necessary amendment to the Memo of Appeal and other papers and proceedings.

4. The name of respondent no.2 'Navin Keshavji Ajani' be substituted by 'Nalin Keshavji Ajani'.

5. Application for amendment and for adding the newly appointed Trustees as party respondents to the present Appeal is allowed. The Appellant is directed to carry out amendment during course of the day. Re-affirmation is dispensed with.

6. No order as to costs.

7. Issue of certified copy expedited.

8. Office and parties to act on the authenticated copy of this Minutes of Order duly authenticated by the Associate.”

4. The appeal stand disposed of in terms of the consent terms and the minutes of the order as above.

5. In view of the disposal of the appeal, pending application/s also stands disposed of.

(PRITHVIRAJ K. CHAVAN, J.)