

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.346 OF 2021
IN
FIRST APPEAL (L)NO. 27218 OF 2016
WITH
CIVIL APPLICATION NO.174 OF 2017

Shri Swami Hathiramji Mutt ... Appellant

V/S.

Mrs. Yashoda Raju Gowda And
Ors. ... Respondents.

.....
Mr. Umashankar R.Singh for the Applicant in Intervention
Application No. 346/2021.
Mr. Vagish Mishra a/w. Mr.Emad Khan & Mr.Alex D'Souza i/b.Law
Counsellors for the Respondent No.1.
.....

**CORAM : NITIN JAMDAR, AND
MANJUSHA DESHPANDE, JJ.**

DATE : 15 December 2023.

P.C. :

This is an application for restoration of the First Appeal which is dismissed for non-removal of the office objections. This Application has been adjourned from time to time as Respondents had questioned the authority of the Appellant to file an Appeal. The Appeal challenges the Judgment and decree passed on 28 January 2016 by the Civil Court, Senior Division, Panvel in Suit No.20/2015

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between the Trust and other parties.

2 Considering that the Appeal has been dismissed for non-removal of office objections and considering the averments made in the Application, we allow the Interim Application No.346/2021. Place the Appeal on board on **25 January 2024**.

3 The contention of the Respondents regarding the authority of the Appellant to prosecute the Appeal is kept open, to be considered at the time of hearing of the Appeal.

(MANJUSHA DESHPANDE, J.)

(NITIN JAMDAR, J.)