

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.13353 OF 2023
IN
APPEAL FROM ORDER NO.827 OF 2012

Ravji Vishram Mistry
deceased through LRs
Kantaben Ravjibhai Mistry & Ors.Appellants/Applicants
V/S
R.S. Dwivedi & Ors.Respondents

WITH
INTERIM APPLICATION NO.13355 OF 2023
IN
APPEAL FROM ORDER NO.828 OF 2012

Mohanlal Hirji Bhavsar, abated
Jethalal Velji, Abated
Kanverben Thakersey
deceased, through L.Rs.
Pradeep Thakersey & Ors.Appellants/Applicants
V/S
R.S. Dwivedi & Ors.Respondents

WITH
INTERIM APPLICATION NO.13340 OF 2023
IN
APPEAL FROM ORDER NO.829 OF 2012

Nandaram Okarji Desad
deceased, through L.Rs.
Jankibai Nandram Desad & Ors.
Deceased through L.Rs.
Smt. Shantidevi Manhor
Nandram Desad & Ors.Appellants/Applicants
V/S
R.S. Dwivedi & Ors.Respondents

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Ms. Poonam Madhwani with Ms. Anjali Devkar for the Appellants/Applicants in all IAs.

Mr. Pradip J. Thorat for Respondent Nos.1, 3 and 5 in all IAs.

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CORAM: SANDEEP V. MARNE, J.

DATE : DECEMBER 01, 2023.

P.C.:

1 These Interim Applications are filed for recall of order dated 10 February 2023 by which the Appeals are dismissed for want of prosecution.

2 It appears that the Appeals are filed challenging the order passed by the City Civil Court returning the Plaint for want of jurisdiction. Considering the nature of order passed by the City Civil Court, the Appeals are required to be restored. Accordingly, the Interim Applications are allowed.

3 Appeals are restored. List the Appeals on 23 January 2024.

(SANDEEP V. MARNE, J.)