

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

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**APPEAL NO. 11 OF 2022
IN
NOTICE OF MOTION NO. 247 OF 2018**

Nanak Shatischandra GhataliaAppellant

V/s.

Swati Shatischandra Ghatalia ...Respondent

Mr. Nanak S. Ghatalia, Appellant present in person.

Mr. Chirag Mody a/w Mr. Jayesh Mestry for Respondent.

**CORAM : K.R. SHRIRAM &
RAJESH S. PATIL, JJ.**

DATED : 2nd JANUARY 2023

P.C. :

1. There are four orders which are impugned in this appeal. First order is dated 30th October 2018, second is dated 7th July 2016, third is dated 2nd May 2016 and the last is dated 18th August 2021. We find none of the orders passed are appealable orders. Moreover, in the first three orders referred above, there is not even an application for condonation of delay.

2. The order that would be left is the 4th order, i.e., dated 18th August 2021. In that order, again learned single Judge has only listed the matters pending between the parties and how the matters could be proceeded further.

3. In the circumstances, the appeal is dismissed.

4. At the same time, since these matters have been pending for a long time, we direct the various applications referred to in the order dated 18th August 2021 be listed before the learned single Judge for directions on 13th January 2023. Appellant may apply to the learned single Judge to hear the matters at the court's earliest convenience.

5. At this point of time Mr. Ghatalia submitted that his main grievance is that in the order dated 7th July 2016 the stay has been continued until further orders. It is open to appellant to move the learned single Judge for vacating the stay granted. We clarify that we have not made any observations on the merits of the case.

(RAJESH S. PATIL, J.)

(K.R. SHRIRAM, J.)