

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1621 OF 2024
IN
FIRST APPEAL NO. 1148 OF 1996

Shri Nandkumar Pandurang More ... Applicants
(Since Deceased Thr. Lrs.)
1) Vaishali Nandkumar More And Ors.

Vs.

A. G. Sohanwala And Ors. ... Respondents

Adv. Viraj Shelatkar i/by Adv. Yogesh Birajdar, for the Applicants.
Adv. Seema Sarnaik, for the Respondent no. 5.

CORAM : KISHORE C. SANT, J.

DATE : 2nd APRIL, 2024

PC.:-

1. By way of present Application the Applicant is praying for restoration of Interim Application No. 1 of 2020 in First Appeal No. 1148 of 1996, which came to be dismissed by Order dated 09.03.2020. The said Application was disposed of as infructuous as the First Appeal itself was disposed of. Considering the averment the facts are similar in to the facts in Interim Application No. 1620 of 2024.

2. There is delay caused in filing the present Application of 1410 days.

3. This Application is also vehemently opposed by the

Respondents. However considering that the earlier application is already allowed this Court deems it proper to allow the present Application subject to costs. Hence the following order.

ORDER

- a) The Application stands allowed.
 - b) The delay is condoned.
 - c) Interim Application No. 1 of 2020 stands restored subject to cost of Rs. 50,000/- to be paid in the office of this Court within four weeks from today.
4. It is made clear that there shall be no interim relief. Applicant to prepare and file paper-book and serve upon the respondent within 4 weeks.
5. Place the Appeal for final hearing on 18.06.2024.
6. The Interim Application stands disposed of.

(KISHORE C. SANT, J.)