

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

WRIT PETITION NO. 7271 OF 2024

WITH

WRIT PETITION (ST) NO.16174 OF 2024

Shabana Niyaz Ahmed Qureshi and Ors.

.. Petitioners

Versus

Quresh Badruddin Ghadiyali (deleted) and Ors.

.. Respondents

...

None for Petitioner.

Mr. S. Shamin & Co. i/b S. Shamin & Co.,for Respondent.

...

CORAM : SANDEEP V. MARNE J.

DATE : 24 JULY 2024.

P.C. :-

1) Motion is made for speaking to the minutes of order dated 10 July 2022.

2) The learned counsel appearing for Respondents would seek a clarification that while this Court has modified the amount of deposit in respect of paragraph No.2 of the operative portion of order dated 2 December 2023, the order

is likely to be misinterpreted to mean as if paragraph No.5 of the impugned order dated 2 December 2023 has also been modified. This Court has merely determined the quantum of interim mesne profits payable by the obstructionist from 28 October 2018. Quantification of the said amount is merely as an interim measure and as directed by the Small Causes Court in paragraph No.5 of the operative portion of the order, rest of the claims of the decree holders are obviously kept open. It is accordingly clarified that paragraph No.5 of the operative portion of the order of the Small Causes Court dated 2 December 2018 has not been disturbed by this Court.

[SANDEEP V. MARNE J.]

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