
IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.16898 OF 2024

Jigarbhai Bharatbhai Shah
(Legal Heir Of Bharatbhai Hirachand Shah)Petitioner
Versus
Fatesinh Mohansinh Chouhan & Ors.Respondents

Mr. Manoj Badgujar, *for Petitioner.*

Mr. Sagar Kursija, *for Respondent Nos.2 & 4.*

CORAM: SOMASEKHAR SUNDARESAN, J.

DATE : NOVEMBER 28, 2025

ORDER :

1. This Petition has been filed challenging an Award dated October 2, 2011 between the parties. However, it is the Petitioner's contention that the Petitioner had not consented to the compromise and that the Advocates said to have represented them did not have authority.
2. This contention is contested on behalf of Respondent No.8 who submits that the Advocates then present clearly had authority to represent all the parties. It would be appropriate to call for a Reply on the specific facts of the case from Respondent No.8. Let such reply be filed no later than December 12, 2025.

3. Meanwhile, only as an ad-interim measure, the execution of the Award shall remain stayed. Such ad-interim measure is being granted because despite a further extension given on November 13, 2025 to the Respondent No.1 to present his say, no reply has been filed. Moreover, none appears for Respondent No.1 today. It is in these circumstances, an ad-interim order is being passed staying the effect and operation of the Impugned Award until the next date.

4. It shall be open to Respondent No.1 to appear on the next date and explain why these ad interim reliefs must be vacated. An affidavit dealing with the affidavit of Respondent No.8 may be filed by the Petitioner before the next date.

5. Stand over to ***December 18, 2025.***

6. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]