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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO. 29 OF 2025
WITH
INTERIM APPLICATION NO. 433 OF 2025
IN
APPEAL FROM ORDER NO. 29 OF 2025**

Tejkumar Shankarlal Kumawat ... Appellant/Applicant

vs.

The Regent Group, Builders and ... Respondents
Developers and Ors

Mr. Jitendra G. Damani for Appellant/Applicant.

Mr. Shanay Shah, Mr. Pankaj Pandey a/w. Mr. Smit K. Nagda for
Respondent No.1.

Mr. Neel Gala i/b. Kaivalya Raul for Respondent No.2.

Mr. Om Suryavanshi for Respondent-BMC

CORAM : GAURI GODSE, J.

DATED : 15th JANUARY 2025

ORDER:

1. Learned counsel for respondent no. 1 submits that in addition to the directions in clause 2 of the impugned order, respondent no.1 would secure flat towards the claim of the plaintiff's father. Statement made on behalf of respondent no. 1 is accepted as an undertaking to this court. It is not in dispute that the premises in which the plaintiff claims right originally belongs to the plaintiff's

father. The plaintiff does not claim exclusive right in his independent capacity.

2. In view of these facts, I do not see any error in the impugned order. The statement made on behalf of respondent no.1 further protects the plaintiff's right if any. Hence, I see no reason to further examine the impugned order. The appeal would therefore, not require any consideration.

3. The appeal is therefore dismissed. In view of dismissal of the appeal, the pending application is disposed of as infructuous.

(GAURI GODSE, J.)