

MJ Jadhav

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 7534 OF 2024
IN
APPEAL FROM ORDER (ST) NO. 22384 OF 2023**

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Narendra Kumar Ramachal Sharma ... Applicant

vs.

Shankar Niwas Co-op. Housing Society ... Respondents
Ltd. Through Chairman Raghunath N.
Jadhav and Secretary Pankaj Savla and
Ors.

Mr. Yash S. Pagare i/b Pankaj Pandey for the Applicant.

Mr. Neel A. Gala a/w Kaivalya Raul a/w Gomathi Chettiyar for
Respondent No.1 to 3 and 5 to 11.

Mr. Om Suryawanshi for the Respondent-BMC.

CORAM : GAURI GODSE, J.

DATED : 24th FEBRUARY 2025

ORDER:

1. This application is for restoration of the appeal from order,
which was dismissed for non removal of office objections.

2. This appeal is preferred to challenge rejection of two notice of
motions filed for taking contempt action. The order impugned in the
appeal is neither appealable under Order 43 or Section 104 of Civil
Procedure Code.

3. Hence, I do not see any reason to restore the appeal. Interim application is, therefore, dismissed.
4. It is clarified that if the appellant intends to explore possibility of amicable settlement, the parties are at liberty to do so and file appropriate terms in the pending suit.
5. Interim application is dismissed in the aforesaid terms.

(GAURI GODSE, J.)