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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 11570 OF 2024
IN
APPEAL FROM ORDER (ST) NO. 18012 OF 2024

Jai Murlidhar Moolchandani ... Applicant
Vs.
Shyam Murlidhar ... Respondents
Moolchandani and Others

WITH
INTERIM APPLICATION NO. 13300 OF 2024
IN
APPEAL FROM ORDER (ST) NO. 24957 OF 2024

Shyam Murlidhar Moolchandani ... Applicant
Vs.
Jai Murlidhar Moolchandani ... Respondents

Mr. Surel Shah a/w. Mr.Zulfiqar Jariwala, Ms. Shabbir Jariwala and Ms. Sakshi Jain i/b. Jariwala Associates for the Appellant/Applicant in AOST/18012/2024 and for the Respondents in AOST/24957/2024.

Mr. Shishir Joshi a/w. Ms. Priti Shukla i/b. Ms. Priti Joshi for Respondent No. 1 in AOST/18012/2024 and for Appellant in AOST/24957/2024.

Ms. Ruksana Peerbhoy for Respondent No. 5 (society).

CORAM : GAURI GODSE, J.

DATE : 28th FEBRUARY 2025

ORDER :

Interim Application No. 11570 of 2024

1. This application for condonation of delay of six days, The contesting respondent i.e. original plaintiff is represented through Advocate. There is no serious opposition to the reasons mentioned for delay.

2. Considering the negligible delay of six days, in the facts and circumstances of the case delay is condoned and application is allowed in terms of prayer clause (a).

Appeal from Order (St) No. 18012 of 2024

3. Heard. Arguable points are raised.

4. Hence, Admit.

5. Learned counsel for respondent nos. 1 and 5 waive notice.

Interim Application No. 13300 of 2024

6. This application is for condonation of delay of 82 days in filing the appeal. The contesting respondent i.e. original defendant no.1 (respondent no. 1) and respondent no. 5 (society) are represented. There is no serious opposition to the reasons mentioned for delay.

7. In the facts and circumstances of the case delay is condoned

and application is allowed in terms of prayer clause (a).

Appeal from Order (St) No. 24957 of 2024

8. Heard. Arguable points are raised.

9. Hence, Admit.

10. Learned counsel for respondent nos. 1 and 5 waive notice.

Interim Application (St) 24961 of 2024

11. Rule on interim relief in terms of prayer clause (a) is made returnable on 18th June 2025.

12. Learned counsel for respondent nos. 1 and 5 waive notice.

13. Pendency of this appeal shall not be construed as any stay to the further proceeding in the suit. City Civil Court shall proceed with the suit.

[GAURI GODSE, J.]