

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 9014 OF 2025
IN
FIRST APPEAL NO. 1119 OF 2018

Maneksan Amarsen Goragandhi one of the
Legal heirs of Dr. Amarsen Mansen Goragandhi ...Applicant

In the matter between

Rajkumari Amarsen Goragandhi & Ors ...Appellants

Versus

The Municipal Commissioner, Municipal
Corporation Of Greater Mumbai & Ors. ...Respondents

Adv. Nisha Shah a/w. Adv. Kinnari Bhatt i/b. Kalpesh Joshi Associates for the
Applicant

Ms Pallavi Khale for the Respondent Nos. 1 and 2 - BMC

Adv. Minal Chandnani for the Respondent No. 5

CORAM : M. M. SATHAYE, J.

DATED : 20th JUNE, 2025

P.C.:

1. Heard the learned Counsel for the Applicant, learned AGP for the Respondent-State and the learned Counsel for the Respondent No. 5.
2. This is an application for the restoration of the First Appeal which is dismissed for not supplying copies, under conditional order dated 04/09/2024. There is delay in filing the Application.
3. Learned Counsel for the Applicant pointed out that only direction

which was not complied with is of supply of necessary copies within the stipulated time. She submits that the Appeal was admitted and prays for restoration.

4. Learned Counsel for the Respondent-Municipal Corporation opposes the Application on the ground that sufficient cause is not shown.

5. It is seen that the substantive First Appeal was admitted and the records and proceedings were called. Directions issued by the conditional order was only for the purpose of supplying the necessary copies.

6. Considering the aforesaid and the averments in the Application as well as reasons mentioned therein, sufficient cause is made out.

7. Subject to the condition of the Applicant supplying necessary copies within the period of three weeks from today, the Application is allowed; delay is condoned; conditional order dated 04/09/2024 is set aside and the Appeal is restored to the file.

8. The Interim Application is disposed of.

(M. M. SATHAYE, J.)