

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 10213 OF 2025
IN
WRIT PETITION NO. 4916 OF 2001

Shri.Kishor Mohanlal Gathani (Shah)(since deceased) through Legal Heirs ...Applicants

Versus

Shri. Shantilal Balubhai Motiwale And Ors. ...Respondents

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CHAVAN

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Date: 2025.09.08
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Mr. Viraj Shelatkar a/w Mr. Kunjan Makwana i/b Mr. Ganesh Gole for the Applicants.

CORAM : M.M. SATHAYE, J.
DATE : 8th SEPTEMBER, 2025

P.C. :

1. Heard learned Counsel for the Applicants/Petitioners.
2. This is an application for restoration of Writ Petition which is dismissed for want of prosecution on 23.01.2025. The application is filed in time.
3. Order dated 23.01.2025 indicates that Respondents were also not present on that day.
4. Even if the application is filed in time, it is observed that the petition is of the year 2001 and the presence of Respondents will be necessary for disposal of the petition.
5. Considering the facts and circumstances involved, issue notice to Respondent Nos. 3 to 7, returnable after 3 weeks i.e. 29.09.2025.
6. In addition to the Court's notice, private notice is permitted. Affidavit of service to be filed before returnable date.

(M.M. SATHAYE, J.)