

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

Interim Application No. 11292 of 2025

In

First Appeal No.463 of 2021

Mr. Siddiqui Saeed Ahmed ... Applicant

V/s.

Mr. Jayesh Nagindas Tailor and others ... Respondents

Mrs. Sandhya Nanavare	Advocate for the Applicant.
Ms. Rina Kundu	Advocate for the Respondents.

CORAM : S.M. MODAK, J

DATE : 10th October 2025.

P.C. :

Heard learned Advocate for the Appellant-Applicant and learned Advocate for the Respondent-Claimant.

2. The appeal was dismissed for non-prosecution on 24th January 2025. Learned Advocate for the Applicant explained to me in what circumstances the appeal was dismissed. She has also invited my attention to different orders annexed to the restoration application. It is true that appeal is admitted. The last order shown to me is dated 14th November 2024 passed on the praecipe moved by the claimant for modification of the earlier order. So the order needs to be recalled and matter needs to be restored. It is not the case wherein the Appellant has tried to delay the hearing of the appeal.

3. Hence, the application is allowed in terms of prayer clause (a). Appeal is restored. The earlier order of stay is restored. Interim Application is disposed of.

4. Stand over to **5th December 2025** for filing compilation of documents by the Appellant.

(S.M. MODAK, J.)