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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 12326 OF 2025
IN
WRIT PETITION 3829 OF 1993

Avice Misquitta (Deceased) And Ors.Applicants/Petitioners
V/s
Chistrabella Dsilva (Deceased)
Through legal heirs And Ors.Respondents

Mr. Ramgopal S. Tripathi for Applicants.
Mr. Clive D'Souza for Respondent Nos. 2(a) to 2(g).

CORAM : M.M. SATHAYE, J.

DATE : 2nd DECEMBER, 2025

P.C. :

1. Heard learned counsel for the parties.
2. This is an application by writ-petitioner for restoration of the writ petition which was dismissed for default under an Order dated 26.09.2025. The Application is filed in time on 04.10.2025.
3. Learned counsel for Respondent Nos.2(a) to 2(g) submits that the Applicants/Tenants have not even paid contractual rent for many years and unless the said rent is cleared, no indulgence be shown.
4. Learned counsel for the Applicants/Tenants submits that he is ready to deposit an ad-hoc amount of Rs.60,000/- which according to him will cover the pending rent.
5. In view of the above, **subject to** the Applicants paying Rs.60,000/- to Respondent No.2(g), within a period of 2 weeks from

today, the application is allowed, the Order dated 26.09.2025 is recalled and Writ Petition is restored to file for hearing, along with interim relief and pending interim/civil application/s if any.

6. It is clarified that the said amount is an ad-hoc amount, subject to final adjustment and Respondent No.2(g) who will accept it on behalf of all the Respondents.

7. Interim Application is **disposed of** in above terms.

8. If amount is paid as directed above, place the writ petition and pending applications on 23.12.2025 for further consideration.

(M.M. SATHAYE, J.)