

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 1 OF 2024
IN
APPEAL NO. 133 OF 2018
IN
SUIT NO. 818 OF 1988
WITH
TESTAMENTARY SUIT NO. 34 OF 1989
IN
TESTAMENTARY PETITION NO. 155 OF 1989

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Cherylanne D'Souza

.. Applicant

Versus

Glory Immaculate D'Sylva & Ors.

.. Respondents

Adv. Amrut Vernekar for the Appellant.

Adv Snehalata Paranjape a/w Shrinivasan Mudaliar, Dinkar Desai, Sudarshan Satalkar i/b. Federal & Co. for Respondent No.1.

Adv. Geeta Sonawane Rohate i/b. Denzil Dmello for Respondent Nos. 3 and 4.

CORAM: B. P. COLABAWALLA &
FIRDOSH P. POONTWALLA, JJ.

DATE: JANUARY 10, 2025

P. C.

1. The above Notice of Motion has been filed seeking the following reliefs:

“(a) That pending the hearing and final disposal of the Appeal, this Hon’ble Court be pleased to stay the

impugned order and Judgment dated 27th January, 2017 of the learned Single Judge in Suit No. 818 of 1988 and Testamentary Suit No. 34 of 1989 in Testamentary Petition No. 155 of 1989;”

2. The learned Advocate appearing for the Appellant has brought to our attention the order dated 26th April, 2017 read with the order dated 6th June, 2017. By the aforesaid two orders, the above Appeal has already been admitted and the parties were directed to maintain status-quo. Despite this order, the Motion was not formally disposed of.

3. The learned Advocate appearing for Respondent No.1, who is the main contesting Respondent, has fairly stated that this status-quo order can be continued till the disposal of the Appeal.

4. In these circumstances, it is ordered that the status-quo order granted by the order dated 26th April, 2017 read with the order dated 6th June, 2017, shall continue till the disposal of the Appeal. In other words, all parties are directed to maintain status-quo.

5. The above Notice of Motion is accordingly disposed of. No order as to costs.

6. This order will be digitally signed by the Private Secretary/
Personal Assistant of this Court. All concerned will act on production by fax
or email of a digitally signed copy of this order.

[FIRDOSH P. POONIWALLA, J.]

[B. P. COLABAWALLA, J.]