

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION NO. 3613 OF 2024
IN
APPEALS(ST) NO. 10618 OF 2022

Pradip Bastimal Chopra

...Applicant

Versus

I. N. Halkara H.u.f. Through

Its Karta Indarmal N. Halkara

...Respondent

Adv. Chirag Mody a/w S.M. Seegarla i/b RMG Law Associates for the Applicant.

Adv. Farhan Dubhash a/w Mr. Vishal Kanade i/b Jayesh Vyas for the Respondent.

CORAM : G. S. KULKARNI &
ADVAIT M. SETHNA, JJ.

DATE : 16 JANUARY 2025

P.C.:

1. This Interim Application is filed by the appellant praying for restoration of the aforesaid appeal which came to be dismissed by an order dated 17 January 2023. There is a delay which is described to be as 285 days however, as urged on behalf of respondent, the delay is much more, for the reason that order dismissing the proceedings was passed on 17 January 2023 and application itself was filed on 27th November 2024.

2. Be that as it may, having perused the averments as made in the application, we are of the opinion that it is in the interest of justice that the delay needs to be condoned and also appeal be restored to the file of this Court,

subject to the applicant depositing an amount of Rs. 25,000/- as cost with the High Court Library (Original Side). The deposit of cost shall be condition precedent.

3. In terms of the above order, the application stands allowed in terms of prayer clauses a and b. Office objections be removed within period of two weeks from today.

4. List the appeal for admission on **30 January 2025**.

[ADVAIT M. SETHNA, J.]

[G. S. KULKARNI, J.]