

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 274 OF 2026

Suresh Eknath Salunkhe

.. Appellant

Versus

Eknath Salunkhe & Ors.

.. Respondents

.....

- Ms. Nishtha Garg i/by Mr. Yash Arora, Advocates for Appellant

.....

CORAM : MILIND N. JADHAV, J.

DATE : APRIL 6, 2026

P. C.:

1. Not on board. Mentioned by way of filing a praecipe dated 06.04.2026.

2. Heard Ms. Garg, learned Advocate for Appellant.

3. Present Appeal from Order (AO) need not be gone into by this Court. Ms. Garg argues that by virtue of the impugned order dated 18.08.2025, learned Trial Court has opined that the reasons for non-payment of the amount of Rs. 25 Lakhs to the Plaintiff was withheld by Defendant on account of a completely different separate cause of action i.e. the Plaintiff had misappropriated certain amounts from the bank account of his father. She informs the Court that learned Trial Court has therefore opined that both the issues have different causes of action.

4. Today when the matter is mentioned, learned Advocate on instructions informs that Defendant is ready and willing to deposit in this Court the amount of Rs. 25 Lakhs which was the share belonging to the Plaintiff as per the gift deed of their father. No purpose whatsoever would be served by depositing the amount here and keeping the present matter pending. Defendant can make appropriate Application before the Trial Court for deposit and if at all such an Application is made, Plaintiff be heard accordingly and same be decided by the Trial Court in accordance with law.

5. Keeping all contentions of Defendant and Plaintiff expressly open, this Court without giving any imprimatur on merits of the matter, directs the Trial Court to decide the Application filed by Defendant in accordance with law if so made.

6. In view of the above, present Appeal from Order is disposed.

[MILIND N. JADHAV, J.]

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