

Ajay

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 106 OF 2026
WITH
INTERIM APPLICATION NO. 603 OF 2026
IN
APPEAL FROM ORDER NO. 106 OF 2026

Smt. Sarabai w/o. Ahmedsaheb Kokani
(Deceased through Legal Heirs)
Ahmedsaheb Fakirsaheb Kokani and Ors.

.. Appellants

Versus

Farida w/o. Gafur Kokani

.. Respondents

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- Mr. Sujay N. Gawade a/w. Mudita Pawar and Mihika Save, Advocates i/by Shree & Co. for Appellants in Appeal From Order No.106 of 2026.
 - Mr. Pradeep J. Thorat, Advocate i/by Ms. Aditi S. Naikare for Appellant in Appeal From Order (St.) No.3367 of 2026.
 - Mr. Alankar Kirpekar a/w. Mr. Shantanu Chandratre and Mr. Ayush Tiwari, Advocates i/by Shantanu Chandratre for Respondent No.1.
 - Mr. Somnath Kale, Advocate for Respondent No.21 to 23.
 - Mr. Zia UL Mustafa, Advocate for Appellant in Appeal From Order (St.) No.3321 of 2026.

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CORAM : MILIND N. JADHAV, J.

DATE : FEBRUARY 05, 2026.

P.C.:

1. Heard learned Advocates appearing for the respective parties.

2. There are four Appeals which are challenging the same impugned order. Mr. Thorat's Appeal is one of them. He would submit that he is not a party to the proceedings as also the *lis* between the warring parties in respect of which the Administration Suit is filed. He

would submit that the injunction operates against him. Mr. Kirpekar will take appropriate instructions on the Appeal which has been filed by Mr. Thorat and accordingly apprise the Court on the next date.

3. *Inter se* copies of all Appeals shall be served on the principal contesting Respondent No.1 represented by Mr. Kirpekar. If any Reply is to be filed, the same shall be filed on or before the next date. It is clarified that no further time will be given by this Court.

4. Mr. Thorat's specific case is that principal contesting Respondent No.1 represented by Mr. Kirpekar's client had specifically given his no objection for his deletion as a proper and necessary party in the proceedings despite which the impugned order now operates against the prospects of his client. Mr. Kirpekar is directed to take specific instructions on this and accordingly apprise the Court on the next adjourned date. Similar is the case made out by Mr. Soni that no objection was also given for deletion of his client. Accordingly appropriate instructions shall be taken and Court will be on the next date.

5. In view of this, the following three Appeals are directed to be heard together on the next adjourned date:-

- (i) Appeal From Order (St.) No.3367 of 2026 alongwith
Interim Application (St.) No.3369 of 2026;

(ii) Appeal From Order (St.) No.3321 of 2026 alongwith

Interim Application (St.) No.3322 of 2026; and

(iii) Appeal From Order No.195 of 2026 alongwith

Interim Application No.989 of 2026.

6. It is clarified that all actions taken despite the pendency of the Appeals shall be subject to the orders passed in the Appeals.

7. List all the Appeal From Orders and Interim Applications on Board on **26th February 2026 at 03:00 p.m..**

[MILIND N. JADHAV, J.]

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