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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.1238 OF 2026
IN
FIRST APPEAL (ST) NO.28773 OF 2019

Merwin George Lobo

...Applicant-Appellant

Versus

Neil James Lobo

...Respondent

WITH
INTERIM APPLICATION NO.1238 OF 2026
(NOT ON BOARD)
IN
FIRST APPEAL (ST) NO.28773 OF 2019

Mr. Rajendra Bhandari for the Applicant/Appellant.

CORAM : JITENDRA JAIN, J.
DATED : 2nd APRIL 2026

P. C.:

INTERIM APPLICATION NO.1238 OF 2026

1. Delay of 76 days in filing this application is condoned. For the reasons stated in the application, order dated 24 April 2025 dismissing Interim Application No.203 of 2020 and First Appeal (St) No.28773 of 2019 is recalled and the application and the First Appeal is restored.
2. Interim application is disposed of.

INTERIM APPLICATION NO. 203 OF 2020

3. Not on board. On mentioning, taken on board .
4. Delay of 7 days in filing the first appeal to challenge the order of the City Civil Court is condoned. Registry is directed to number the appeal finally.

5. Application is disposed of.

FIRST APPEAL (ST) NO.28773 OF 2019

6. Admit. Issue notice to the respondents. In addition to Court notice, private notice is permissible. Affidavit of service to be filed.

7. Compilation of documents in the format of private paper book to be filed and served within six months from today, failing which appeal will stand dismissed without recourse to the Court.

8. Records & Proceedings be called.

9. Appeal to come up for hearing in regular course.

10. The dispute is between family members and, therefore, the Court is of the view that the appellant and respondents should sit across and amicably settle rather than inviting order from this Court.

11. Liberty to the parties to move the Court if the matter is settled.

[JITENDRA JAIN, J.]