

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 2326 OF 2026

IN

APPEAL FROM ORDER NO. 261 OF 2024

Pawan Kalendraprasad Singh .. Applicant/Appellant
V/s.
M/S. Mahavir Enterprises & Ors. .. Respondents

Mr. Shailesh Pal a/w Mr. Ashavin Tripathi i/b Mr. Pradeep Singh for Appellant.

Shri. V. T. Dubey for Respondent nos. 1 to 5.

Mr. Yogesh Dabke (through VC) for Respondent nos. 6 and 7.

Ms. Neeta Jadhav i/b Ms. Komal Punjabi for Respondent nos. 8 and 9 - BMC.

CORAM : FARHAN P. DUBASH, J.

DATE : 27th MARCH 2026

P.C.:

1. Mr. Shailesh Pal, learned Counsel who appears on behalf of the Appellant, tenders an Affidavit-of-Service dated 27th March 2026. A perusal of this Affidavit reveals that all the Respondents have been served. In fact, all the Respondents are represented in Court today by their respective Advocates.

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2. The present Interim Application seeks recall of the order dated 11th March 2026, under which the Appeal from Order was dismissed for default.

3. After hearing the parties and perusing its contents, this Court is

satisfied with the reasons set out therein and the order is required to be recalled. Accordingly, the Interim Application is disposed of in terms of the following order:

::ORDER::

- (i) Subject to the Applicant paying a sum of Rs. 20,000/- to Tata Memorial Hospital and furnishing necessary proof of such payment, on or before 10th April 2026, the order dated 11th March 2026 shall stand recalled and the Appeal from Order shall stand restored to the file of this Court.
- (ii) Needless to state that if the aforesaid directions are not complied with within a stipulated timeline, the Interim Application shall stand dismissed with no further reference to this Court.
- (iii) If the directions contained in paragraph (i) of this order are complied with, list the Appeal from Order for final hearing on 30th April 2026.
- (iv) Upon compliance of the directions contained in paragraph (i) of this order, liberty is given to the Applicant to mention the matter for continuation of the interim reliefs.

(FARHAN P. DUBASH, J.)

Shubham Gadhavepatil