



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO.7930 OF 2025
IN
TRUST PETITION NO.5 OF 2023
WITH
TRUST PETITION NO.5 OF 2023

Paresh Kantilal Patel

...Applicant/Petitioner

Versus

Harshad Kantilal Patel & Ors.

...Respondents

Mr. M. A. Bhatkar a/w Harshad Sathe & Mr. Shyamsundar Patil i/by Leo
Legal Attorneys for the Applicant/Petitioner
Mr. A. R. Pai for Respondent Nos.1 & 5.

CORAM : JITENDRA JAIN, J.

DATE : 10 APRIL 2026

P.C.:

1. This application is made for restoration of Trust Petition No.5 of 2023 alongwith interim applications filed therein which came to be dismissed on 14 November 2025 for non-appearance of the petitioner-applicant.
2. The reasons are stated in paragraphs 4 to 8 of the interim application. Briefly, reason states that there was a mistake on the part of the advocate in not noticing the listing and, therefore, the matter was not attended.
3. The learned advocate who was to appear on that day is in the Court today and has accepted his mistake.
4. The learned advocate for the respondent nos.1 and 5 opposes the restoration on the ground that the address of the advocate who was

to appear on 14 November 2025 and the address of the new advocate is one and the same. It is his submission that the advocate is changed only for the purposes of restoration to show “sufficient cause”.

5. I have heard Mr. Bhatkar, learned advocate for the applicant-petitioner and Mr. Pai, learned advocate for respondent nos.1 and 5.

6. Admittedly, the address of the earlier advocate and the new advocate is same. However, since the earlier advocate has acknowledged his mistake before this Court, the litigant should not suffer on that account.

7. Reply of respondent no.1 opposing the interim application for restoration is taken on record.

8. In view thereof, the original Trust Petition No.5 of 2023 and interim applications filed therein viz., Interim Application (L) Nos.5578 and 3420 of 2024 are restored.

9. Interim Application is disposed of.

10. List this Trust Petition No.5 of 2023 on 19 June 2026.

[JITENDRA JAIN, J.]