

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION**

**INTERIM APPLICATION NO. 1468 OF 2026
IN
COMMERCIAL EXECUTION APPLICATION (L) NO. 22878 OF 2025**

HEENA SHAH)...APPLICANT

V/s.

ABDUL HAMID MAPKHAN SHAH)...RESPONDENT

Ms.Kausar Banatwala a/w. Ms.Sneha Mahawar i/by Mr.Tushar Goradia,
Advocate for the Applicant.

None for the Respondent.

CORAM : ABHAY AHUJA, J.

DATE : 6th APRIL 2026

PC. :

1. This Interim Application seeks restoration of the Commercial Execution Application as well as the connected Interim Application that came to be dismissed by a self operative order of this Court dated 1st December 2025 read with orders dated 19th December 2025 and 17th January 2026.

2. Ms.Kausar Banatwala, learned Counsel, appears for the Applicant and submits that although certain objections were removed, however,

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through inadvertence, further extension of time was not sought, as already two extensions had been taken and also costs had been paid by virtue of order dated 17th January 2026. That, the dismissed proceedings be restored in the interest of justice upon reasonable terms that this Court may impose.

3. Having heard the learned Counsel and having perused the proceedings, this Court is of the view that considering that the Applicant was seeking execution of consent minutes of order dated 30th October 2021, the execution proceedings be restored subject however to payment of costs.

4. Accordingly, the following order is passed :

ORDER

(i) Subject to the payment of costs of Rs.20,000/- by the Applicant to the Bar Council of Maharashtra & Goa's Advocate Academy and Research Centre within a period of two weeks, the Commercial Execution Application as well as the connected Interim Application are restored to file.

(ii) Subject to the above, let objections now be removed and registered numbers be obtained, no later than three weeks.

5. The Interim Application is accordingly allowed and stands disposed as above.

(ABHAY AHUJA, J.)