

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION NO. 2133 OF 2026
IN
COMMERCIAL EXECUTION APPLICATION (L) NO. 38845 OF 2025

RICHAD MAMOD RIAJHOUSSEN TAHORA)... APPLICANT

IN THE MATTER BETWEEN

RICHAD MAMOD RIAJHOUSSEN TAHORA)
AND ANOTHER)..DECREE HOLDERS

V/s.

VIRAJI J BRAHMBHATT)... RESPONDENT

Mr.Mutahhar Khan a/w. Mr.Birrul Mohamedi i/by Bellator Legal
Services LLP, Advocate for the Applicant.

Appearance for the Respondent not given.

CORAM : ABHAY AHUJA, J.

DATE : 27th APRIL 2026

PC. :

1. Mr.Khan, learned Counsel, appears in this Interim Application seeking restoration of the Execution Application and the connected Interim Application that came to be dismissed in view of the self operative order dated 19th January 2026.

2. Mr.Khan, learned Counsel appearing for the Applicant, submits that since the Clerk involved in removing the objections and obtaining registered number had to go to his native place due to an emergency

and the Applicant and the Advocate were under *bona fide* belief that the objections were removed, this Court may consider restoring the execution proceedings as the failure to comply with the directions of this Court have been entirely unintentional, not deliberate and due to *bona fide* reasons.

3. The learned Counsel appearing for the Respondent leaves it to the orders of this Court.

4. Having heard the learned Counsel and having considered the submissions, subject to payment of costs of Rs.15,000/- within a period of two weeks to the Respondent, the Interim Application is allowed in terms of prayer clause (b) which reads thus :

“(b) Be pleased to restore the Execution Application (L) No.38845 of 2025 and Interim Application No.650 of 2026, and extent the time to comply office objection within two weeks or such time as this Hon'ble Court deems fit.”

5. Let objections to the Interim Application be removed and registered number be obtained within a period of two weeks.

6. The Interim Application accordingly stands allowed and disposed as above.

(ABHAY AHUJA, J.)

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