



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**CIVIL APPLICATION NO.315 OF 2026**  
**IN**  
**SECOND APPEAL NO.442 OF 2023 (D)**

Narendra D. Gandhi Vs. Ashok Kumar N. Trivedi and ors.

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*Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order*

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*Court's or Judge's Order*

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Mr. R. R. Srivastava, Advocate for appellant.

Mr. P. P. Kotwal a/w. Mr. G. H. Barange, Advocates for nonrespondent No.1A.

Mr. C. B. Dharmadhikari, Advocate for respondent No.1C.

**CORAM : ROHIT W. JOSHI, J.**

**DATE : 09.03.2026.**

. The present appeal came to be dismissed vide judgment dated 20.02.2026. The present application, seeking extension of interim order dated 29.11.2023, is filed on 07.03.2026.

2. Learned advocate for the appellant states that the appellant intends to challenge the judgment passed by this Court before the Hon'ble Supreme Court and, therefore, interim order may be continued for a period of eight weeks.

3. Both the learned Courts have concurrently dismissed the suit for specific performance. Breach of contractual conditions by the appellant is apparent on the face of the record.

4. In view of the aforesaid, prayer for extension of interim order is rejected.

5. Another prayer in the application is for directions to refund amount of Rs.70,00,000/- deposited by the appellant with the learned Trial Court.

6. The prayer is opposed on the ground that the suit property comprised of retainable land as well as surplus land under the erstwhile Urban Land (Ceiling and Regulation) Act, 1976 and that the appellant has illegally sold the portion of retainable land with respect to which, the respondents have a claim to agitate against the appellant on account of said illegal transfer. However, till date, the respondents have not initiated any such proceedings. It is also not in dispute that out of the total consideration of Rs.28,00,000/- payable for retainable land, amount of Rs.25,00,000/- is paid by the appellant to the respondents.

7. In view of the aforesaid Civil Application is **disposed of** permitting the appellant to withdraw the amount of Rs.70,00,000/- along with accrued interest, if any, deposited with the learned Trial Court.

(ROHIT W. JOSHI, J.)

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