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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**FIRST APPEAL NO.43 OF 2013
WITH
CIVIL APPLICATION NO.180 OF 2013**

Sasangi Engineering (Bombay)
Pvt. Ltd. and another.

..Appellants

-Versus-

Sah Sunil Kumar and others.

..Respondents

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Mr.Pradeep Sancheti, Senior Advocate a/w Mr.Vishal Kanade, Mr.Amol Bavare, Mr.Parag Sharma, Mr.Nikhil Davare i/by Udwadia Udeshi & Argus Partners, for the Appellants.

Mr.Y.V.Divekar i/by M/s Divekar & Company, for the Respondent Nos.2 and 3.

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CORAM: S.C. DHARMADHIKARI,J.

DATE :- 18th January, 2013.

PC.:

1 Heard Mr.Sancheti, learned Senior Counsel appearing on behalf of the Appellants.

2 Mr.Divekar, learned counsel appearing for the Respondent Nos.2 and 3, states that the Respondent No.1 has expired.

3 At the request of the Appellants, the name of the Respondent No.1 is deleted.

4 Mr.Divekar states that he would obtain a Vakalatnama of all Respondents before the next date, but presently he has no instructions to appear on behalf of all Respondents. He will waive service for the Respondent Nos.2 and 3.

- 5 Heard.
- 6 Admit.
- 7 Mr.Divekar waives service for the Respondent Nos.2 and 3.

(S.C. DHARMADHIKARI, J.)

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CORAM: S.C. DHARMADHIKARI,J.

DATE :- 18th January, 2013.

PC.:

1 Heard.

2 Rule, returnable on 08.02.2013.

3 The affidavit in reply, if any, be filed within two weeks from today with advance copies to the Appellants' Advocate.

4 Mr.Sancheti, learned Senior Counsel appearing for the Appellants/ Applicants, states that the judgment and decree be stayed until further orders as the Trial Court during the course of the trial and even thereafter, stayed the judgment and decree in S.C. Suit No.3789/1995. If that stay is vacated, the Board meeting will be held and

to the detriment of the interest of the Appellants.

5 Heard both sides on the point of ad-interim relief. In view of this statement made by Mr.Sancheti, interest of justice would be served if without prejudice to the rights and contentions of both sides, there is an ad-interim order in terms of prayer clause (a) till 08.02.2013.

(S.C. DHARMADHIKARI,J.)