

MJ Jadhav

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 383 OF 2022**

Haroon Jilani Kungle (Deceased) and Ors. ... Appellants

vs.

Sufiya Abdul Hameed Kungle and Ors. ... Respondents

WITH

**INTERIM APPLICATION NO. 1312 OF 2025
IN
SECOND APPEAL NO. 383 OF 2022**

Sufiya Abdul Hameed Kungle and Ors. ... Applicants

vs.

Haroon Jilani Kungle (Deceased) and Ors. ... Respondents

Mr. Kaustubh Tipsay for the Appellants.

Mr. Shakeeb Shaikh a/w Noorwin Paty i/b Diamondwala & Co. for the Applicants in IA and for Respondent Nos.1 to 5 in SA.

Mr. Ajinkya Udane a/w Maitreyee Garade for Respondent No.2 in IA.

Ms. Kinjal Kakkad i/b Jayesh Vyas for Respondent Nos.6/2, 6/3, 6/5, 6/6, 6/7 and 7.

CORAM : GAURI GODSE, J.

DATED : 5th FEBRUARY 2025

ORDER:

1. This second appeal is not yet admitted.
2. Learned counsel for the appellants seeks time.
3. Learned counsel for respondent nos.1 to 5 submits that though there is no interim relief in the second appeal, the

respondents were unable to execute the impugned decree. He submits that the appellants have created further third party rights in respect of some of the suit property.

4. Learned counsel for the appellants seeks time to take instruction on the application.

5. By way of last chance to the appellants, list the appeal on 7th March 2025.

6. To be listed high on board under the caption 'for admission'.

7. It is clarified that this Court has not granted any interim relief.

(GAURI GODSE, J.)