

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 797 OF 2024  
WITH  
CIVIL APPLICATION NO. 3214 OF 2014  
IN  
FIRST APPEAL NO. 797 OF 2024

ANAND  
SUDHAKAR  
SUDAME

Anjuman Kutubuddin Mulla & ors.

..Appellants/  
Applicants

*Versus*

Digitally signed  
by ANAND  
SUDHAKAR  
SUDAME

Yasin Yusuf Solanki & ors.

..Respondents

Date:  
2025.09.22  
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WITH  
FIRST APPEAL NO. 1512 OF 2014  
WITH  
CIVIL APPLICATION NO. 4373 OF 2014  
IN  
FIRST APPEAL NO. 1512 OF 2014

Yasin Yusuf Solanki & anr.

..Appellants/  
Applicants

*Versus*

Abdul Hussain Kassam Shaikh (since deceased)  
through legal heirs & ors.

..Respondents

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Mr. Parth P. Shah i/b. Ms. Veera Shinde, Advocates, for the  
Appellants/Applicants in F. A. No. 797 of 2024 and for  
Respondents in F. A. No. 1512 of 2014

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CORAM : S. M. MODAK, J.

DATE : 18.09.2025

P. C.

**FIRST APPEAL NO. 797 OF 2024**

1. Heard Mr. Shah, learned Counsel for the Appellants/Original Defendants.
2. The Trial Court has decreed the suit partly. Not granted specific performance but directed the Defendants to refund the consideration along with 15% interest p. a.. The contention is this interest is excessive.
3. None present on behalf of the Respondents/Original Plaintiffs.
4. A private paper book is filed on behalf of the Appellants/Applicants.
5. Stand over to **15.10.2025** under the caption “*For Directions*”.

**FIRST APPEAL NO. 1512 OF 2014**

1. This is an Appeal filed by the Appellants/Original Plaintiffs for not granting specific performance.

2. None present on behalf of the Appellants/Original Plaintiffs.
3. Learned Counsel for the Respondents have already filed appearance.
4. Both these Appeals arise out of the same Judgment and Decree. As such a private paper book is not required in this Appeal because the private paper book is already filed in F. A. No. 797 of 2024. A copy of this Order be served on the learned Counsel for the Respondents.
5. Stand over to **15.10.2025** under the caption “*For Directions*”.

(S. M. MODAK, J.)