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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

**FIRST APPEAL NO. 59 OF 2013**

Shri Munisuvrat Swamy Jain  
Swetamber Murtipujak Trust/Sangh & Ors, ..Appellants.  
Vs.

Ismail Yakob Payak ..Respondent.

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Mr. P.B. Shah, for the Appellant.  
Mr. C.M. Korde a/w Mr. Jaideep K. Mitra,  
i/b Mr. Vinod Singh, for Respondent.

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**CORAM: SHRIHARI P. DAVARE, J.**

**DATE : 31<sup>st</sup> January, 2013.**

**P.C.:**

1 Heard.

2 This appeal has been preferred by the appellants-original plaintiffs challenging the judgment and decree dated 6.11.2012 rendered by the learned Judge, City Civil Court, Gr. Mumbai, thereby the suit filed by the plaintiffs decreed partly.

**3** Issue notices to the respondent before admission, returnable within **3** weeks.

**4** In addition to Court's notice, the appellants are permitted to serve the respondent by private service simultaneously through RPAD/Courier/Speed Post/personal service and to file Affidavit of Service to that effect by next date.

**5** Stand over for **3** weeks

**(SHRIHARI P. DAVARE, J.)**