

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

**FIRST APPEAL (ST) NO.34625 OF 2025
WITH
INTERIM APPLICATION NO. 1102 OF 2026
IN
FIRST APPEAL (ST) NO.34625 OF 2025**

Mrs. Shabnam Afzal Khan

...Appellant/
Applicant

Versus

Zainul A Qureshi (deceased) & Ors.

...Respondents

*Adv. Kunal Bhanage, a/w, Mr. Akshay Pawar, i/b, Adv. Fauza Shaikh, for
the Appellant/Applicant.*

CORAM : SHARMILA U. DESHMUKH, J.

DATE : February 11, 2026

P. C. :

1. Interim Application seeks leave for filing the appeal challenging the decree dated 9th July, 2010.
2. Mr. Bhanage learned Counsel appearing applicant submits that by order of 8th October, 2025 passed by this Court (Firdosh P. Pooniwalla, J.) the applicant was permitted to withdraw Interim Application with liberty to file an independent appeal. He submits that present appeal has been filed pursuant to the said liberty. He submits that the department has raised an objection as no leave has been

obtained before filing Appeal.

3. He submits that the order of 8th October 2025 is clear as it grants liberty to file an independent appeal. Considering that the clarification is sought in respect of the order of 8th October 2025 as to whether the order grants leave to the present applicant, who was a third party, for filing an independent appeal, it would be appropriate if the matter is placed before the same Court for clarification.

4. Considering the circumstance of present case, the time to remove office objection is extended till 20th April 2026.

[SHARMILA U. DESHMUKH, J.]