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

**INTERIM APPLICATION NO. 15112 OF 2024
IN
FIRST APPEAL NO. 1862 OF 2024**

Mohan K. Shetty

...Applicant/Appellant

Versus

Lalitha Vasu Shetty & Ors.

...Respondents

Mr. Rajesh Dixit for the Appellant.

Ms. Neeta Jain a/w. Mr. Ajit J. Shobhawat for Respondent Nos. 1 & 2.

Adv. Pallavi Khale i/b. Adv. Komal Punjabi for the Respondent No. 8-BMC

CORAM : M. M. SATHAYE, J.

DATED : 13th AUGUST 2025

P.C.:

1. Learned Counsel for the Applicant/Appellant prays for ad-interim stay to the impugned judgment and order. Learned Counsel for the Respondent No. 1 & 2 states on instructions, that execution is only at the stage of filing reply by the present Applicant/Appellant and the next date is tomorrow.

Statement accepted.

2. Considering that the execution is at the stage of filing reply, there is no necessity to grant ad-interim stay at this stage.

3. Order dated 05/05/2025 is pointed out wherein the Applicant/Appellant was directed to pay Rs.10,00,000/- to the Respondent No. 1 without prejudice to his rights and contentions. It is fairly conceded by

the learned Counsel for the Respondent No. 1 that the amount of Rs.10,00,000/- has been paid by the Applicant/Appellant. This is obviously only for Applicant's continued occupation.

4. Learned Counsel for the Applicant/Appellant further prays for continuation of order dated 27/11/2024 passed against the Respondent-Municipal Corporation not to cancel his license of hotel business being run in the suit property by the Appellant.

5. Record indicates that such order was originally passed on 27/11/2024, which was continued under order 05/05/2025 only till the next date which was 16/06/2025. The Application was not moved for continuation of the said order till today. It is only when execution is pressed, then this Application is circulated and request for continuation of order is made. Since the Applicant/Appellant has not got the interim order continued after 16/06/2025 for last about two months, no case for its continuation is made out. Request is rejected.

6. Stand over to 29/08/2025 for further consideration.

(M. M. SATHAYE, J.)