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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FIRST APPEAL NO. 2479 OF 2025
WITH
INTERIM APPLICATION NO. 13902 OF 2025

M/s. Riche Investment Consultants And Ors. ...Appellants/Applicants
Versus

Mrs. Nainaben Pranjivan Mehta And Anr. ...Respondents

Mr. Kunal Dalal for Appellant/Applicant.

Mr. Ajit P. Mehta, Constituted Attorney for Respondent No.1, present.

CORAM : M.M. SATHAYE, J.

DATE : 10th DECEMBER, 2025

P.C. :

1. Heard learned counsel for the Appellants. The Appellants are Defendant Nos.1 & 3 to 6.

2. Respondent No.1 filed S.C.Suit No. 7457 of 1996 (H.C.Sum. Suit No. 851/96) for recovery of the money. By the impugned Judgment and Decree dated 06.11.2025, the suit is decreed, thereby directing the Appellants to jointly and severally pay an amount of Rs. 5,75,000/- with simple interest @ 7% p.a. from 01.03.1996 till realization.

3. Learned counsel for the Appellants invited Court's attention to the Order dated 08.01.2020 by which the Trial Court had held Issue No.6 (whether suit is hit by Securities Contracts Regulation Act, 1956), in negative. He submits that the said issue is being pressed and should be heard first. He also prays for ad-interim stay to the impugned Judgment and Decree.

4. Respondent No.1 is appearing through Constituted Attorney Mr. Ajit P. Mehta who submits that his application for appearing in person is pending before the concerned committee of the Registry. He submits that reply is ready and the same shall be filed in the Registry. Let the reply be filed within a period of one week from today with its copy served on the other side.

5. Issue notice to the Respondents, returnable on 27.01.2026. Constituted Attorney of Respondent No.1 waives service.

6. Considering that the impugned decree is money decree, **subject to the Appellants depositing** in this Court, the entire amount under the impugned Decree along with interest, within a period of **6 weeks from today**, there shall be ad-interim relief in terms of prayer clause (a) of IA/13902/2025, which reads as under:

“(a) pending the hearing and final disposal of the Appeal, the effect and operation of the Judgement and Decree dated 06.11.2025 passed in the above suit by the Hon'ble City Civil Court at Bombay (Mazagaon Branch) be stayed;”

(M.M. SATHAYE, J.)