

varsha

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO. 44 OF 2025
WITH
INTERIM APPLICATION NO. 684 OF 2025
IN
APPEAL FROM ORDER NO. 44 OF 2025**

D.N. Nagar Shivneri C.H.S. Limited ... Appellant/Applicant

vs.

Bank of Maharashtra and Ors ... Respondents

Mr. Anuj Desai a/w. Riddhi Dhamecha i/b. Dhiren Shah, for
Appellant/Applicant.

Ms. Hema Desai a/w. Ms. Ruchi P. Bagwe for Respondent No.1-
Bank of Maharashtra.

CORAM : GAURI GODSE, J.

DATED : 20th JANUARY 2025

ORDER:

APPEAL FROM ORDER NO. 44 OF 2025

1. Heard. The appeal raises arguable points. Hence, admit.
2. Learned advocate for respondent no.1 waives notice.
3. In addition to Court notice, learned advocate for the appellant to serve the remaining respondents, by private notice and file affidavit of service before the next date.

INTERIM APPLICATION NO. 684 OF 2025.

4. Rule on interim relief in terms of prayer clause 16(a) is made returnable on 1st April 2025.
5. Learned advocate for respondent no.1 waives notice.
6. In addition to Court notice, learned advocate for the applicant to serve the remaining respondents, by private notice and file affidavit of service before the next date.
7. Till next date there will be ad interim relief in terms of prayer clause (a).
8. It is clarified that pending appeal or grant of ad interim relief shall not be construed as stay to the proceedings in the trial court. The suit pending in the City Civil Court shall proceed.

(GAURI GODSE, J.)