

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
APPEAL NO. 54 OF 2019**

Indukumar Ladhabsai Momaya (deleted)
Kalpesh Hansraj Shah

... Appellant

V/s.

Jayantilal Ladhabsai Momaya & Ors.

... Respondents

**WITH
CHAMBER ORDER (L) NO. 13618 OF 2021
IN
APPEAL NO. 54 OF 2019
WITH
IN PERSON APPLICATION (L) NO. 36848 OF 2022
IN
APPEAL NO. 54 OF 2019**

Mr. Kalpesh Shah, Appellant-in-person is present.

**CORAM : DEVENDRA KUMAR UPADHYAYA, CJ. &
ARIF S. DOCTOR, J.**

DATED : 7th MARCH, 2024

P.C. :

1. The Appellant was provided assistance of Mr. Drupad Patil from the legal aid services, however, he submitted an application on 19th January, 2023 to the legal aid committee,

whereupon, the said legal aid counsel had been discharged. In these circumstances, we had permitted the Appellant to file written arguments in support of his case so that matter can proceed further. However, when the Appellant appeared in person today, he does not appear to be capable of arguing his case as what he says is not decipherable.

2. In the aforesaid circumstances, we requested Mr. Naushad Engineer, a practicing lawyer of this Court to assist the Court as *Amicus*, who readily agreed to the said request. The Appellant also states that he does not have any objection to appointment of Mr. Engineer as *Amicus*.

3. As suggested by Mr. Engineer, Mr. Kaustubh Thipsay is also appointed to assist him.

4. Issue notice to the Respondents returnable on 21st March, 2024.

5. Stand over to 21st March, 2024.

(ARIF S. DOCTOR, J.)

(CHIEF JUSTICE)