



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION NO.4856 OF 2025
IN
SUIT NO.157 OF 2025

Yusuf Mohammed Kasam Jumani and
Ors.

...Applicants/Plaintiffs

V/s.

Mohammed Iqbal Jumani and Ors.

...Respondents

Ms. Swati Sawant with Ms. Padma Chinta for the Applicants/ Plaintiffs.

Mr. Y.S. Bhate with Mr. Chetan Bane and Mr. Viraj Y. Bhate i/b. M/s.
Bhate and Associates for the Respondents

CORAM: SANDEEP V. MARNE, J.

Dated: 18 SEPTEMBER 2025.

P.C.:

- 1) Heard Ms. Sawant, the learned counsel appearing for the Applicants/Plaintiffs and Mr. Bhate, the learned counsel appearing for Defendant No.1, who is the contesting Defendant.
- 2) Mr. Bhate seeks time of 8 weeks to file affidavit-in-reply opposing the Interim Application. He would however, make a statement on instructions that Defendant No.1 shall not create any third party right in respect of the suit property. Statement is accepted and the same shall continue to operate during pendency of the Interim Application.
- 3) List the Interim Application on **2 December 2025**.



4) Defendant No.1 is at liberty to file affidavit-in-reply opposing the Interim Application within a period of eight weeks. Plaintiff is also granted liberty to file affidavit-in-rejoinder within a period of two weeks thereafter.

5) Learned Advocate for the Plaintiffs submits that Defendant No.10 has passed away during pendency of the Suit. She prays for leave to bring on record legal heirs of Defendant No.10. She submits that Defendant Nos.2 to 10 supports the case of the Plaintiff.

6) Mr. Bhate does not express any objection to the oral request made by the learned counsel appearing for the Plaintiffs to bring on record the legal heirs of Defendant No.10. Leave granted. Amendment to be carried out within a period of two weeks. Reverification is dispensed with.

[SANDEEP V. MARNE, J.]