

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 21134/2021

(Arising out of impugned final judgment and order dated 27-10-2021 in IA No. 2369/2021 in Appeal from Order No.959/2019 passed by the High Court of Judicature at Bombay)

JYOTI RAJINDER WIJ

Petitioner(s)

VERSUS

RATILAL AMBLAL SAPARIYA & ORS.

Respondent(s)

(IA No.168903/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT )

Date : 07-01-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL  
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s) Mr. Mangesh Patel, Adv.  
Mr. Bharat Bhushan, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

The appeal is preferred before the High Court against an interim order in which ad-interim stay was granted on 17.9.2021. On notice being issued, the petitioner before us (respondent No.1 in High Court proceedings) was served and it appears he was not able to attend the Court. In these circumstances, ad-interim order was made absolute.

We see no reason to interfere under Article 136 of the Constitution of India as it is an interlocutory order. The appropriate course for the petitioner is to move the High

court pointing out the circumstances under which they could not appear and assist the Court and seek a disposal of the appeal itself against interim arrangement or seek vacation of the ad-interim ex-parte order granted on 17.9.2021.

The special leave petition is dismissed with the aforesaid liberty.

Pending application(s) stand disposed of.

(RASHMI DHYANI)  
COURT MASTER

(POONAM VAID)  
COURT MASTER