

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 1305 OF 2026
WITH
CIVIL APPLICATION NO. 3895 OF 2018
IN
FIRST APPEAL NO. 1305 OF 2026

Cosmos Textile Mills Pvt. Ltd.
Versus
M/s. Dhanesh And Co. Thr Its
Partner Shri Nainesh Vijaykumar
Shah And Ors.

...Appellant

...Respondent(s)

Mr. Mihir Govilkar , for Appellant. _____
None for Respondents.

CORAM: AARTI SATHE, J.

DATE: 01 OCTOBER 2026

P.C.

1. This First Appeal has been preferred against the Judgment and Order dated 24 April 2018 passed by the learned Bombay City Civil Court, Borivali Division, Dindoshi, Goregaon, in Summary Suit No. 61 of 2014.

2. Learned Counsel appearing for the Appellant submits that execution proceedings are pending before the learned 2nd Senior Civil Judge, Ankleshwar, Gujarat, in Regular Darkhast No. 07 of 2026. In the circumstances, we request the learned Executing Court to defer the execution proceedings for a period of 12 weeks.

3. Insofar as Civil Application No. 3895 of 2018 is concerned, learned Counsel appearing for the Appellant submits that, pending the disposal of the aforesaid First Appeal, the Appellant is willing to deposit with this Court an amount of Rs.4,86,848/-.
4. Subject to the Appellant depositing the aforesaid amount within a period of four weeks from today, the execution of the Judgment and Order dated 24 April 2018 shall remain stayed.
5. Ad-interim relief in terms of prayer clause (a) is granted.
6. The Civil Application stands disposed of accordingly.
7. List the First Appeal on **23 December 2026**.

(AARTI SATHE, J.)