

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

**LETTERS PATENT APPEAL ST. NO. 12991 OF 2009
IN
WRIT PETITION NO. 5493 OF 2005**

Kalpita Builders Pvt. Ltd.
& others

.. APPELLANTS

VERSUS

Pravin Kumar Jinabhai Patel
& others

.. RESPONDENTS

Mr. A.B. Kale, advocate for appellants.
Mr. A.S. Bajaj, advocate for respondents 1 to 3.

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CORAM : R.M. BORDE &

A.I.S. CHEEMA, JJ.

DATE : 19th NOVEMBER, 2015.

PER COURT :

1. This appeal is directed against the interim order passed by the learned Single Judge on 24.04.2009 during the pendency of Writ Petition no. 5493/2005.

2. Writ petition is admitted and is pending for final disposal. Directions are already issued to the trial Court to decide the suit itself. In the facts of the case, it would be appropriate for the parties to approach the trial Court with a request to decide the suit itself expeditiously. It would also be appropriate for the parties to request the learned Single Judge dealing with Writ Petition No. 5493/2005 to take up the matter for final disposal, expeditiously. With liberty as aforesaid, Letters Patent Appeal stands disposed of.

3. In view of disposal of Letters Patent Appeal, pending civil application, if any, does not survive and stands disposed of.

(A.I.S. CHEEMA)
JUDGE

(R. M. BORDE)
JUDGE

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