

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 666 OF 2015
AND
WRIT PETITION NO. 667 OF 2015

WRIT PETITION NO. 666 OF 2015

1. Smt. Kalawanti S. Advani,
W/o Late Shamsunder T. Advani,
80 years of age, housewife,
Rep. in this Suit by her Attorney,
and her Daughter.
2. Smt. Karishma Mahtani,
Wife of Suresh Mahtani,
53 years of age, Married,
and both are residents of 22/1,
Sky Scraper, Building 'A',
Breach Candy,
Mumbai, 400 026.

... Petitioners

Versus

1. M/s Satchi Development
Company Pvt. Ltd.,
a Company incorporated under
the Companies Act,
with office at B-2,
Shangri-La Apartments,
St. Mary's Colony,
Miramar, Panaji, Goa.
2. Shri Rajiv Kaskar,
s/o Suresh Kaskar,
42 years, Businessman,
Resident of H. No. 663,
St. Anthony's Waddo,
Guirim, Bardez-Goa.

3. Shri Indresh Advani,
52 years of age, Business,
B-2, Shangri-La Apartments,
St. Mary's Colony,
Miramar, Panaji, Goa.
 4. Smt. Suzette Advani,
Wife of Mr. Indresh Advani,
49 years of age, Business,
and residing at C 74, Machado,
Residential Cove, Curla,
Vainguinim, Taleigao, Goa.
 5. Ms. Susanne Fernandes,
D/o Kostant Fernandes,
24 years of age, Service,
R/o Flat No. G-2, Albamar
Apartments, Opp. Royal
Beach Hotel, Miramar,
Panaji – Goa.
- ... Respondents

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and residing at C 74, Machado,
Residential Cove, Curla,
Vainguinim, Taleigao, Goa.
5. Miss Arkansha Mendes,
D/o Joseph Vincent Mendes,
34 years of age, Service,
R/o F-3, Arnav Apartments,
Nagali Hills Colony,
Dona Paula – Goa.

... Respondents

Shri Ajit R. Kantak, Advocate for the Petitioners.

CORAM:- C. V. BHADANG, J.

DATE:- 28th AUGUST, 2015.

ORAL JUDGMENT:

Rule. Rule made returnable forthwith.

2. The only relief sought is of a direction for deciding the application for temporary injunction filed by the petitioners-plaintiffs, expeditiously. As such, it would not be necessary to serve a formal Notice/Rule on the respondents, as no adverse order is being passed against them. Taken up for final disposal.

3. Heard Shri Kantak, the learned Counsel for the petitioners.

4. Both these petitions can be conveniently decided by this common judgment. The petitioners have filed two separate suits alongwith applications for temporary injunction. A copy of the Roznama would show that the application for temporary injunction is being adjourned for orders from 11.11.2014. The last Roznama produced is of 15.07.2015, when the matter was adjourned to 14.08.2015. The learned Counsel submits that on that day, the matter is adjourned to 15.09.2015.

5. The very object of temporary injunction and the relief claimed is to meet emergent situation. Thus, it hardly needs to be stressed that application for temporary injunction needs to be decided expeditiously.

6. In such circumstances, the petition is allowed. The trial Court is directed to decide the application for temporary injunction, within a period of 15 days from the receipt of this order. The trial Court shall also decide the suit as expeditiously as possible.

7. The petition is disposed of and Rule is made absolute in the aforesaid terms.

C. V. BHADANG, J.

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