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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELATE JURISDICTION
WRIT PETITION NO.1571 OF 2015

Nargis Majid Oomerbhoy ...Petitioner
vs.
Captain Vinodkumar Baldevsingh
and others ...Respondents

None for the petitioner
None for the respondent

CORAM : A.S.OKA, &
A.P.BHANGALE, JJ.
DATE : MARCH 17, 2015

P.C.:

1 None appears for the petitioner. The first prayer in this petition under Article 226 of the Constitution of India is for directing the Appeal Bench of the Court of Small Causes to decide the pending appeal of the year 2011 within a period of 30 days from today. The second prayer is for staying the hearing of the pending contempt petition till the disposal of the appeal of the year 2011.

2 A judicial notice will have to be taken of the fact that there is a huge pendency of matters in the Court of Small Causes at Mumbai. Very old appeals are pending before the said Court.

3 It is for the Appeal Bench to decide whether priority deserves to be given to the hearing of the appeal of the year 2011. Therefore, the petitioner

will have to make an appropriate application before the Appel Bench before which the appeal is pending for giving priority to the hearing of the appeal. As far as prayer for stay of the Contempt Petition No.5 of 2012, the same will have to be made before the appropriate Court in appropriate proceedings.

4 Hence, we decline to entertain the petition. Accordingly, writ petition is rejected. It will be open for the petitioner to file appropriate applications as indicated above. If such applications are made, the same shall be decided in accordance with law.

(A.P.BHANGALE,J.)

(A.S.OKA,J.)