

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.904 OF 2015

Smt. Niloofar Shahrokh Nooshian. .. Petitioner
Vs
Shankar Subhash and Others .. Respondents
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Shri D.B. Savant for the Petitioner.
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CORAM : A.S. OKA & A.P.BHANGALE, JJ
DATED : 20TH MARCH 2015

P.C.

. Heard learned counsel appearing for the Petitioner.
Perused the report submitted by the learned Judge of the Court of Small Causes before whom the Execution Application No.134 of 2014 is pending. The learned Judge took charge of the Court Room No.15 on 9th June 2014. In the said report, the learned Judge has given details of what has transpired on every date fixed in the Execution Application. After 9th June 2014, the Execution Application was fixed from time to time on more than 20 different dates. The learned Judge has pointed out the manner in which the original Defendant made an Application and the manner in which the same was disposed of. After having perused the report, we find that this is not a case where the Execution Application filed by the Petitioner is being delayed because of any default on the part of the learned Judge.

2. The learned Judge had to deal with the Applications made by the Defendant and pass orders thereon. The learned Judge has noted that on two of the dates, even the Petitioner/Plaintiff was absent.

3. Hence, we dispose of the Petition by passing the following order.

ORDER :

- (a) We direct the learned Judge before whom the Execution Application is pending to give necessary priority to the pending Execution Application and dispose of the same as expeditiously as possible;
- (b) The report of the learned Judge shall be resealed and shall be kept in the custody of the Registrar (Judicial-I).

(A.P. BHANGALE, J)

(A.S. OKA, J)