

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**APPEAL FROM ORDER NO.691 OF 2013
WITH
CIVIL APPLICATION NO.831 OF 2013**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Mr.R.G.Jagtap for the appellant

Mr.P.J.Shinde for the respondent nos.1 and 2

**CORAM : K.K.TATED, J.
DATED : 24/03/2015**

PC:

- 1 Heard the learned counsel for the parties.
- 2 By this Appeal from Order, the defendant challenges the order dated 5.2.2013 passed by Bombay City Civil Court, Mumbai in Notice of Motion No.1333 of 2008 in Short Cause Suit No.883 of 2008 restraining defendant from obstructing the plaintiff from entering the suit premises i.e. Room No.16A, 2nd Floor of the building situated at 236/40, Sant Sena Maharaj Marg (2nd Kumbharwada), Mumbai 400 064 till the hearing and final disposal of the suit.
- 3 It is to be noted that in the present proceeding,

the plaintiff filed suit in 2008. Both the counsel state that they have already submitted their draft issues in court.

4 Considering the subsequent developments, without going into the merits of the matter, following order is passed:

a Hearing of Short Cause Suit No.883 of 2008 is expedited.

b This court expects that Trial Court should dispose of Short Cause Suit No.883 of 2008 as early as possible but in any case on or before 31.03.2016.

c Trial Court to decide the suit on its own merits without being influenced by the impugned order dated 5.2.2013.

d With this observation, Appeal from Order is disposed of.

e In view thereof Civil Application does not survive. The same is also dismissed as infructuous.

(K.K.TATED, J.)