

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3959 OF 2015

Mr. Tapas Kumar Das .. Petitioner
vs.
Sanjeev Bros
(through its Proprietor
Mr. Abdul Kadar Shaikh) .. Respondents

Ms Archana Khan for the Petitioner.
Mr. H.R. Sharma for Respondents.

CORAM : M. S. SONAK, J.
DATE : 14 AUGUST 2015.

P.C. :-

1] The petitioner has offered to pay costs of Rs.20,000/- directly to the respondents. It is stated that the same will be paid within one week from today. If such costs are paid within one week from today, then the impugned order dated 17 July 2014 shall stand set aside and the petitioner's application at Exhibit-94 shall stand granted. This course of action is agreeable to the respondents. Accordingly, witness summons shall be issued to Mrs. Daphne M. Warapen.

2] Further, considering that the Suit is of the year 1998, the Trial Court is directed to dispose of the same as expeditiously as possible and in any case within a period of one year from today. Both the parties to cooperate in expeditious disposal of the suit.

3] It is made clear that if costs of Rs.20,000/- are not paid within one week to the respondents, then this petition shall be deemed to have been dismissed with costs of Rs.5000/-. The Trial Court to ensure that such costs are indeed paid by the petitioner to the respondents before taking any further part in the Suit. The direction for expeditious disposal of the suit shall, however, remain and is reiterated.

4] In view of above, Writ Petition is disposed of.

(M. S. SONAK, J.)

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