

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6261 OF 2014

M.R.P Enterprises and ors. .. Petitioners
vs.
Kakad Co-op. Hsg. Soc. Ltd. and ors. .. Respondents

Mr. N. Engineer and Hasmit Trivedi i/b Zohair H. Zaidy for the
Petitioners.

Mr. Aabad Ponda & Mr. Gautam Tiwari i/b Manish Pabale for the
Respondents.

CORAM : M. S. SONAK, J.

DATE : 21 JULY 2015.

P.C. :-

1] This petition can be disposed of with the following agreed
order:

(a) Issue No.1, as already framed by the Trial Court on
16 March 2012, will include or in any case be deemed to
include. The issue No.1 proposed by and on behalf of
defendant Nos.1 to 3 (at page 125 of this paper-book);

(b) In addition to the issues already framed, the following
issue is directed to be framed:

'Whether the defendants prove that purported
notice dated 22 September 1997 was insufficient,
invalid and illegal to claim re-entry in the suit
premises as envisaged under the Lease Dated 27
November 1979 ?'

(c) Since the suit is of the year 2007, the Trial Court is directed to dispose of the same as expeditiously as possible and in any case within a period of eighteen months from today.

(2) This petition is disposed of in the aforesaid terms.

(M. S. SONAK, J.)

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