

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 4878 OF 2015

Satra Properties (India) Limited .. Petitioner
vs.
Naresh S. Vora .. Respondent

Mr. B.R. Zaveri a/w. Ms Anjali Awasti for the Petitioner.
Mr. P.S. Dani, Sr. Advocate a/w. Ms E. A. Gonsalves for the Respondent.
Mr. Rajan Shah, Director of the Petitioner is present.

CORAM : M. S. SONAK, J.
DATE : 23 JUNE 2015.

P.C. :-

1] The following order is made on the basis of consent of the parties as conveyed by their respective counsels. Such consent is obviously without prejudice to the rights and contentions of the parties, in the main dispute pending in Small Causes Court at Mumbai.

2] It is accordingly ordered:

(a) The interim order dated 5 March 2015 made by the Small Causes Court, Mumbai and interim order dated 9 May 2015 made by the Appellate Bench of the Small Causes Court at Mumbai are set aside;

(b) The Appeal No. 39 of 2015 pending before the Appellate Bench is consequently disposed of;

(c) The Small Causes Court at Mumbai to dispose of Application at Exhibit-13 filed on 24 December 2014 by the petitioner, within a period of one month from today, on its own merits and in accordance with law;

(d) Depending upon the decision of the Small Causes Court upon such application at Exhibit-13, the Small Causes Court to dispose of the application for interim relief (Exhibit-9) made by the Respondent, within a period of two months thereafter. Again, such disposal shall be in accordance with law and on its own merits;

(e) Parties shall maintain *status quo* until disposal of application at Exhibit-13 and if same is allowed, then application at Exhibit-9, as aforesaid.

(f) The *status quo* as directed shall, however, not come in the way of the Small Causes Court at Mumbai issuing appropriate directions for the protection of goods at the site.

3] The Director of the petitioner and the respondent are present in the Court and have consented to the aforesaid order.

4] This petition is disposed of in the aforesaid terms.

(M. S. SONAK, J.)