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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.676 OF 2014
IN
NOTICE OF MOTION NO.2347 OF 2013
IN
S.C. SUITNO.2061 OF 2010

WITH
CIVIL APPLICATION NO.811 OF 2014
IN
APPEAL FROM ORDER NO.676 OF 2014
IN
NOTICE OF MOTION NO.2347 OF 2013
IN
S.C. SUITNO.2061 OF 2010

Hussain G. Chavan	...Appellant
V/s.	
State of Maharashtra & Ors.	...Respondents

Mr.Omprakash Tiwari for the Appellant.

None for the Respondents.

CORAM : R.D. DHANUKA, J.
DATE : 23RD NOVEMBER, 2015.

P.C. :-

1. By this appeal from order the appellant has impugned the order passed by the learned trial Court refusing to grant any interim order in the notice of motion filed by the appellant (original plaintiff) seeking restoration of possession of the said premises. On or about 3rd November, 2010 the defendant had issued a notice to the plaintiff

and thereafter has obtained possession of the premises which were given on leave and licence to the plaintiff. The plaintiff had applied for restoration of possession in the notice of motion. The learned trial Judge has considered this issue by passing a detailed order and has in my view, rightly taken a prima-facie view that no case was out out in the notice of motion for restoration of possession.

2. The appeal from order is devoid of merits and is accordingly dismissed. Hearing of the suit however, is expedited.

3. The learned trial Judge is directed to dispose of the suit expeditiously and not later than two years from today.

4. In view of dismissal of the appeal from order, the civil application does not survive and is accordingly disposed of. No order as to costs.

(R.D. DHANUKA, J.)