

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

WRIT PETITION NO.8925 OF 2015

**M/s. Prarthana International
Represented through its partner
Mr.Prakash Gannapa Shetty : Petitioner
versus
M/s. Saveshwar Industries and anr. : Respondents.**

**Mr. J F Reis, Senior Advocate a/w Mr. Kunal Bhanage for the Petitioner.
Mr. P S Dani, Senior Advocate a/w Ms. Prabha Rathod and Mr. Suraj Shah
for the Respondents.**

**CORAM : R. M. SAVANT, J.
DATE : 17th November 2015**

P.C.

1 The order dated 07/05/2015 remanding the matter back to the Trial Court for de-novo consideration of the application (Exhibit 28) is taken exception to by way of the above Writ Petition. The said order of remand was passed in an Appeal filed by the Petitioner herein. In my view, having regard to the nature of the order passed, no case for interference in the writ jurisdiction of this Court is made out. However, it is clarified that the contentions of the parties are explicitly kept open for being urged before the Trial Court. The Trial Court would consider the said contentions and thereupon adjudicate upon the said application (Exhibit 28). On remand, the hearing of the application (Exhibit 28) is expedited and is directed to be disposed of within six months from date. Though a transfer application has been filed, even if the matter is transferred to some other Court the direction as contained

in the instant order would operate considering the fact that the decree is passed in the year 2011. With the aforesaid clarification, the above Writ Petition is disposed of.

[R.M.SAVANT, J]