

M/s. Orient Export Corporation.	]	... Petitioner
Versus		
M/s. Jivraj & Sons and Ors.	]	... Respondents

CORAM :- M. S. SONAK, J.
DATE :- DECEMBER 02, 2015

1. Heard the learned Counsel for parties.
2. The challenge in this petition is to the order made by the Divisional Joint Registrar, Mumbai, condoning delay in instituting Revision Application No.269 of 2013 and further, making *status-quo* order on 05/05/2014.
3. The material on record *prima facie* indicates that the respondent was not made a party to the proceeding. Only deemed membership was assigned to the petitioner. Considering this aspect, the delay has been condoned by the Divisional Joint Registrar, Mumbai. Further, the record reveals that though the order in revision application was made almost five years ago, the implementation thereof was never applied for by the petitioner. Accordingly, it is only when the petitioner applied for implementation that the respondent

instituted a revision application and applied for maintenance of *status-quo*. *Status-quo* has been granted by order dated 05/05/2014. Although, there may be some substance in the contention of the petitioner that *status-quo* was granted at the stage of consideration of application for pre-ponement of date, considering that such *status-quo* has prevailed for last several years, it would not be appropriate to disturb the same at this stage. Instead, interest of justice would be met if the Additional Joint Registrar is directed to dispose of Revision Application No.269 of 2013 in accordance with law and on its own merits as expeditiously as possible and in any case, within a period of three months from today. Such direction is issued accordingly.

4. It is made clear that this Court has not examined the merits of the matter and therefore all contentions of all parties are left open for adjudication before the Divisional Joint Registrar.

5. It is clarified that during the pendency of revision application, both the parties to maintain *status-quo* in relation to issue of membership.

6. All concerned to act on basis of authenticated copy of this order.

7. Writ Petition is disposed of in the aforesaid terms.

(M. S. SONAK, J.)