

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

WRIT PETITION NO. 9759 OF 2015

M/s. Sai Pooja Film & Entertainment & Ors.

..Petitioners

Vs.

Geetai Co-operative Housing Society Ltd. & Ors.

..Respondents

Mr. Vineet Naik Senior Advocate a/w Mr. Rashmin Khandpekar, Mr. Ravi Suryawanshi, Mr. Krunal Mehta, Ms Anushree Yewale and Ms Akshita Palvia i/b Naik Naik and Company for the Petitioners

Mr. Vishwajit Sawant i/b Mr. E. A. Sasi for the Respondents

CORAM : R.M.SAVANT, J

DATE : 5th October 2015

P.C. :

1 The above Petition was moved on an urgent basis in the morning session at 11.00 a.m., in view of the fact that the Learned Judge of the City Civil Court was to hear the Notice of Motion in question at 12.00 p.m. today. This Court had by an order passed in the morning session directed the Learned Judge of the City Civil Court not to proceed with the hearing of the Notice of Motion in question until further orders of this Court. After the developments in the above Petition were pointed out to the Learned Judge of the City Civil Court, the hearing of the Notice of Motion is now fixed on 7-10-2015 at 2.45 p.m. The Learned Senior Counsel appearing for the Petitioners i.e. the

Defendants in the Suit states that a copy of the affidavit in reply filed on behalf of the Defendants would be served upon the Learned Counsel for the Respondents latest by tomorrow i.e. 6-10-2015 by 3.00 p.m. and would also tender the same in the City Civil Court on 7-10-2015. Statement accepted. The Learned Judge of the City Civil Court is directed to take the copy of the reply which would be filed by the Petitioners/Defendants in Court on 7-10-2015 and proceed on the said basis. The order impugned in the present Petition would accordingly stand modified in terms of the instant order. The Learned Senior Counsel for the Petitioners /Defendants assures this Court that no adjournment would be sought on 7-10-2015.

2 In view of the aforesaid there is now no warrant to keep the above Petition pending which to accordingly stand disposed of.

[R.M.SAVANT, J]

CERTIFICATE

Certified to be true and correct copy of the original signed order