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

WRIT PETITION NO.10138 OF 2014

Elegant Industries Pvt. Ltd.

... Petitioner

Vs.

Dr. (Mrs.) Jyoti Chordia

... Respondents

Mr. Dileep Balkrishna Nevalia, Authorised Director of the Petitioner in person.

Dr. (Mrs.) Jyoti Chordia, Respondent No.1 in person.

Mr. V.S. Gokhale, AGP, for Respondent No.4.

**CORAM : A.S. OKA &
A.P. BHANGALE, JJ.**

DATE : 16th MARCH, 2015

PC.

. Heard the Petitioner appearing in person. He states that an application has been made by the Petitioner before the Court of Small Causes at Exhibit-127 praying for expeditious disposal of the Suit and for deciding the same in a time bound manner.

2. The Authorised Director of the Petitioner appearing in person states that the said application at Exhibit-127 is still pending. The Suit is of the year 2005. Firstly, the benefit which is available to the Senior Citizens is not available to the Petitioner which is a Limited Company on the ground that one of its Director is a Senior Citizen.

Secondly, this Court can always take a judicial notice of the fact that very old proceedings much older than the Suit of the Petitioner are pending before the Court of Small Causes. It is for the Court of Small Causes to decide in what manner priority should be given to the cases pending before it.

3. Hence, the prayer in this Petition under Article 226 directing the Court of Small Causes to decide the Suit of the year 2005 in a time bound schedule cannot be granted.

4. We, however, direct the Court of Small Causes to decide the application at Exhibit-127 as expeditiously as possible and preferably within a period of six weeks from the date on which an authenticated copy of this order is produced before the Court before which it is pending. Subject to what is observed above, the Petition is rejected.

(A.P. BHANGALE, J)

(A.S. OKA, J)