

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE JURISDICTION.
APPEAL FROM ORDER NO.1106 OF 2014**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
---	---------------------------

Mr. P. V. Nichani for the appellant.
Mr. K. K. Jadhav for respondent no.3.
Mrs. Pushpa P. Shenoy respondent no.1 present.
Mr. P. L. R. Shenoy respondent no.2 present.

**CORAM : K. K. TATED, J.
DATED : 13/08/2015.**

PC.:

1. Heard the learned counsel for the parties.
2. This appeal is preferred by defendant no.2 challenging the order dated 7/10/2014 by which defendant's Notice of Motion No.770/2014 for appointment of the Court Receiver in respect of the suit property i.e. Flat No.2D, Hormuzd Apartment, First Floor, 42 Palimala Road, Bandra(W), Mumbai stands dismissed.
3. The learned advocates for respondent no.1 as well as respondent no.3 submits that the trial of suit is started. Even the Trial Court in the impugned order in para 12 has specifically stated that the matter can be disposed off finally.
4. Considering the above facts and that the suit is of 1993 and the dispute is between the husband and

the wife and the purchaser of the suit premises, in the interest of justice, the following order is passed:

- (a) Hearing of Suit No.8805/1993(HC Suit No.1290/1993) is expedited.
- (b) The Trial Court shall dispose off the suit as early as possible but in any case on or before 31/12/2015.
- (c) Liberty is granted to the appellant to withdraw Appeal from Order. Same is allowed. Appeal from Order stands dismissed as withdrawn.
- (d) Liberty is granted to the appellant to prefer application in case any order is passed by the Registrar u/s.101 of the Maharashtra Co-operative Societies Act.

(K.K.TATED, J.)