

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

APPEAL AGAINST ORDER NO.51/2014

Sport Infratech Private Limited, through its Director

..Versus..

Deputy Director Sport and Youth Services, Nagpur Division and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : Z.A. HAQ, J.

DATE : 3.3.2015

Heard Shri D.V. Chauhan, the learned advocate for the appellant and Smt. B.H. Dangre, the learned G.P. for the respondent no.2. The learned advocate for the appellant and the learned G.P. for the respondent no.2 submit that temporary injunction is operating against the respondent no.2 restraining it from encashing the bank guarantee, since 27th June, 2014 and considering the facts of the case it would be appropriate if the disposal of the civil suit is expedited. The

learned advocate for the appellant and the learned G.P. who represent the contesting parties submit that they will not seek unwanted adjournments and will co-operate for early disposal of the civil suit. Accepting the submissions made on behalf of the appellant and the respondent no.2, the trial Court is requested to dispose of the civil suit till 14th August, 2015.

Shri Chauhan, the learned advocate for the appellant submits that the appellant will keep the bank guarantee alive and renew it before it expires and file the affidavit along with documents before the trial Court to substantiate this.

The order granting temporary injunction in favour of the appellant/plaintiff shall continue till 14th August, 2015. If the civil suit cannot be disposed of till 14th August, 2015, the plaintiff will be at liberty to file application seeking temporary injunction order and it should be considered by the learned trial Court on its merits considering the fact as to whether the plaintiff co-operates for early disposal of the suit or not.

The appeal is disposed of in the above terms. In the circumstances, the parties to bear their own costs.

CIVIL APPLICATION NO.34/2015.

The civil application is disposed of in the terms of the order passed in appeal.

CIVIL APPLICATION NO.61/2014.

In view of filing of Civil Application No.34/2015 this civil application does not survive and it is disposed of accordingly.

JUDGE