

Amk

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

**APPEAL FROM ORDER NO. 911 OF 2013
WITH
CIVIL APPLICATION NO. 771 OF 2014**

Arfat Co-op. Housing Society Ltd. .. Appellant
Vs.
Shri Massan Shaukatali Khan & Anr. .. Respondents

Mr. S. R. Gupta for the Appellant.
Ms. Madhuri More for the Respondent-BMC.

CORAM : G. S. KULKARNI, J.
DATE : 15th NOVEMBER, 2016.

P. C. :

1. After the matter was heard for some time, Mr. Gupta, learned counsel for the appellant states that the suit is of the year 2009 and it is at the stage of evidence. He further submits that the suit is required to be decided at the earliest. The request is quite reasonable. The parties are directed to co-operate in the disposal of the suit. It is permissible for the appellant to approach the learned Trial Court with a prayer to expedite the hearing of the suit, which shall be considered by the Trial Court on its own merits.
2. Thus, the appeal does not require any further adjudication and stands disposed of accordingly.
3. All the contentions of the parties, on merits of the matter, are kept expressly open.
4. In view of the disposal of the appeal, Civil Application No. 771 of 2014 does not survive and stands disposed of.

[G. S. KULKARNI, J.]