

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE JURISDICTION.**

**CIVIL APPLICATION NO. 153 OF 2016
IN
CIVIL REVISION APPLICATION NO. 84 OF 2010**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Makarand Kale i/b M/s. M.PVashi & Asso. for the Applicant.

Mr. J. G. Shukla i/b G. H. Shukla & co. for the Respondent.

CORAM : K. K. TATED, J.

DATED : 17/06/2016

PC.:

. Heard learned Counsel for the parties.

2 This application is preferred by plaintiff for fixing early date of hearing of Civil Revision Application No. 84 of 2010.

3 The learned counsel for the applicant submits that plaintiff filed suit under Section 6 of Specific Relief Act. That suit was decreed by the Trial Court. Thereafter, the respondent defendant preferred Civil Revision Application. In that, interim relief was granted staying the operation of judgment and decree passed by the Trial Court. He submits that during the pendency of the Civil Revision Application, the respondent defendant created third

party right, title and interest in respect of the suit premises. Hence, the applicant preferred Contempt Petition No. 416 of 2012. Same is pending for hearing on its own merits. He submits that as the respondent defendant has created third party rights in the suit premises, this Hon'ble Court be pleased to expedite the hearing of Civil Revision Application.

4 Considering the submissions made by the learned counsel for the applicant, as the suit under Section 6 of Specific Relief Act was decreed in favour of applicant and respondent defendant has created third party right, title and interest in respect of the suit premises during the pendency of the Civil Revision Application, I am satisfied that applicant has made out case for allowing the Civil Application.

5 Hence, following order is passed:

a) Hearing of Civil Revision Application No. 84 of 2010 is expedited.

b) Office is directed to place the Civil Revision Application on board for final hearing as per its turn in expedited matters.

c) Civil application stands disposed off accordingly.

(K.K.TATED, J.)