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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.390 OF 2016
WITH
CIVIL APPLICATION NO.501 OF 2016

Ankush B. Bhujbal	...Appellant
V/s.	
Ramdas H. Tamhane & Ors.	...Respondents

Mr.Shekhar Jagtap i/b J. Shekhar & Co. for the Appellant.

Mr.Sanjay Deo with Mr.A.S. Deo for the Respondent Nos.2, 4, 5 and 9.

Mr.S. S. Patwardhan for the Respondent Nos.10 and 10-A.

CORAM : R.D. DHANUKA, J.
DATE : 21ST DECEMBER, 2016.

P.C. :-

1. Learned counsel appearing for the appellant, on instructions from his client, who is present in Court, seeks liberty to withdraw this appeal from order and prays that hearing of the suit be expedited. The statement is accepted. The appeal from order is dismissed as withdrawn. Hearing of Special Civil Suit No.815 of 2015 is expedited. Learned trial Judge shall make an endeavor to dispose of the said special civil suit within a period of one year from the date of communication of this order. The parties present in Court, agree to

co-operate with each other and also with the learned trial Judge in disposal of the suit expeditiously. None of the parties shall take unnecessary adjournment before the learned trial Judge.

2. It is made clear that the observations made by the learned trial Judge in the impugned order are *prima-facie*. The learned trial Judge shall decide the said special civil suit on its own merits without being influenced by the observations made by the learned trial Judge in the impugned order.

3. It is made clear that if any third parties rights are created by the respondent nos.10 and 10-A in respect of any of the structures being constructed on the suit property henceforth, those respondent shall inform such party about the pendency of the suit filed by the appellants herein.

4. In view of disposal of the appeal from order, Civil Application No.501 of 2016 does not survive and is accordingly disposed of. No order as to costs.

(R.D. DHANUKA, J.)