

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

Appeal from Order NO. 657 OF 2015

Iqbal Dawood Shaikh ...Appellant
Versus
Pandit Gulam Dastagir Abbas And Anr ...Respondents

WITH
Appeal from Order NO. 656 OF 2015

Iqbal Dawood Shaikh ...Appellant
Versus
Hakimuddin H. Deshmukh And Anr ...Respondents

WITH
Appeal from Order NO. 659 OF 2015

Iqbal Dawood Shaikh ...Appellant
Versus
Asfaq Ul Haq Khan And Anr ...Respondents

Mr.Jintendra B.Mishra, for the Appellant in all matters.

Mr.S.K.Pise, for Respondent No.1 in AO 657/15.

Mrs.Priti Shah, for Respondent No.1 in AO 659/15.

CORAM : G.S. KULKARNI, J.

DATE : 22 NOVEMBER 2016.

PC. :

1. After the matter was heard for some time, the parties are agreeable that it would be in the interest of the parties that the suits in question itself be decided. In any case, the Long Cause Suits pertain to

the year 2009. These proceedings arise out of the interim orders passed on the Notices of Motion which have been filed on behalf of the Plaintiff in respective suits. After hearing the learned Counsel for the parties and considering the nature of the dispute, the suggestion as made on behalf of the parties is fair. It would be appropriate that the suits itself are decided. The orders which are impugned in these appeals are also in operation from February,2015.

2. Considering the circumstances, these appeals do not require adjudication. The parties are at liberty to approach the Trial Court with a request to take up the suits in question as early as possible. This request shall be considered by the learned Trial Judge on its own merit. At this stage, the learned Counsel for the parties inform that the suit is at the stage of evidence. If that be so, it is surely expected that the suit will be decided at the earliest.

3. Needless to observe that the impugned orders which are passed, shall operate till the suits are finally decided.

4. The Appeals are accordingly disposed of in the above terms. No costs. The pending Civil Applications are also disposed of. All

contentions of the parties on merits of the matter are expressly kept open to be decided in the pending suits.

(G.S.KULKARNI, J.)