

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.898 OF 2016
ALONG WITH
CIVIL APPLICATION NO.1116 OF 2016
IN
NOTICE OF MOTION NO.2743 OF 2016
IN
B.C.C.C. S.C. SUIT NO.1602 OF 2016

Murlidhar Krishna Shetty	 Appellant / Applicant
V/s.	
The State of Maharashtra & Ors.	 Respondents

Mr. R.P. Ojha for the Appellant-Applicant.

Mr. Yogesh Dabke, A.G.P., for the Respondents-State.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 22ND SEPTEMBER 2016.

P.C. :

1. Heard learned counsel for the parties.
2. This appeal is preferred against the order passed by the City Civil Court, Mumbai on 20th July 2016 in Draft Notice of Motion in L.C. Suit No.1602 of 2016, thereby rejecting the ad-interim relief. It is submitted that the said Notice of Motion is still pending before the Trial Court.
3. In view thereof, this Court deems it convenient that this appeal can be disposed of by directing both the parties to appear before the Trial Court and proceed with the hearing of the said Notice of Motion.

4. This appeal, therefore, stands disposed of.
5. Needless to state that, the Trial Court will decide the Notice of Motion, pending before it, as expeditiously as possible.
6. Learned counsel for the respondents undertakes to file reply to the said Notice of Motion within a period of three weeks from today.
7. In view of disposal of the appeal, Civil Application No.1116 of 2016 no more survives and the same is disposed of.

[DR. SHALINI PHANSALKAR-JOSHI, J.]