

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

APPEAL FROM ORDER (ST.) NO. 29096 OF 2016

WITH

CIVIL APPLICATION (ST.) NO. 29098 OF 2016

IN

APPEAL FROM ORDER (ST.) NO. 29096 OF 2016

Ramchandra Balku Kad & Ors.

...Appellants

Versus

M/s. Vastuniket Pvt.Ltd. & Ors.

...Respondents

Mr. Yuvraj Narvankar, for the Appellants.

Mr. A.P. Vanarse, for the Respondent No. 1.

Mr. D. Mishra, for the Respondents No. 2 to 8.

CORAM : R.D. DHANUKA, J.

DATE : 24th November 2016

ORDER :

1. By consent of parties, the impugned order dated 7th September 2016 passed by the learned Civil Judge, Senior Division, Khed-Rajgurunagar is set aside. The Application (Exh.5) filed by the original Plaintiff is remanded to the learned Trial Judge for deciding

the said Application fresh. Hearing of the Application (Exh.5) is expedited. The learned Trial Judge shall make an endeavour to dispose of the Application (Exh.5) within six months from the date of communication of this order.

2. The ad-interim status quo order dated 19th March 2016 which came to be vacated by the learned Trial Judge is restored and shall be continued till disposal of the Application (Exh.5).

3. It is made clear that the learned Civil Judge, Senior Division shall consider the Application (Exh.5) on its own merits without being influenced by the observations made and conclusion drawn in the impugned order. The Appeal from Order is disposed of in the aforesaid terms.

4. In view of the disposal of the Appeal from Order, the Civil Application does not survive and it is accordingly, disposed of.

5. Parties are directed to appear before the learned Civil Judge, Senior Division on the next adjourned date i.e. 29th November 2016 and produce a copy of this order for consideration and compliance of this order.

[R.D. DHANUKA, J.]