

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
APPEAL NO. 241 OF 2015
IN
CHAMBER SUMMONS NO. 602 OF 2010
IN
SUIT NO. 1461 OF 1992***

Trevor Joseph Harold D'Sylva & Anr. ...Appellants
Versus
A. A. Farms & Ors. ...Respondents

***WITH
NOTICE OF MOTION NO. 563 OF 2015
IN
APPEAL NO. 241 OF 2015
IN
CHAMBER SUMMONS NO. 602 OF 2010
IN
SUIT NO. 1461 OF 1992***

Trevor Joseph Harold D'Sylva & Anr. ...Applicants

IN THE MATTER BETWEEN :

Trevor Joseph Harold D'Sylva & Anr. ...Appellants
Versus
A. A. Farms & Ors. ...Respondents

***WITH
APPEAL NO. 112 OF 2015
IN
CHAMBER SUMMONS NO. 602 OF 2010
IN
SUIT NO. 1461 OF 1992***

Tirupati Balaji Enterprises & Anr. ...Appellants
Versus
A. A. Farms & Ors. ...Respondents

Mr. Atul Singh with Mr. Umesh Tawaria I/b Mr. Gaurav Vijay Gokhale for the Appellants in APP/241/2015

Mr. Raj Patel, Mr. Sunny Punamiya I/b Mahendra Patel & Associates for the Appellant in APP/112/2015

Mr. Sanjiv Gorwadkar, Mr. Sandesh Patil I/b Pawan Patil for the Respondent No. 6 in APP/241/2015

Ms. Geeta Nair, Section Officer from Court Receiver's Office is present

**CORAM : V. M. KANADE, ACTING C. J. &
REVATI MOHITE DERE, J.
WEDNESDAY, 20TH JANUARY, 2016**

P.C. :

1. By consent of the parties, the impugned order passed by the learned Single Judge is set-aside, since both the parties have challenged the said order. The matter is remanded back to the learned Single Judge. The learned Single Judge may hear both the parties and decide the Chamber Summons on merits and in accordance with law. All contentions of both the parties are kept open. Liberty is granted to both the parties to file additional affidavits, if so advised.

2. Both appeals are disposed of accordingly.

REVATI MOHITE DERE, J.

ACTING CHIEF JUSTICE