

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO.2624 OF 2006
IN
SUIT NO.2285 OF 2006**

Chembur Atur Park (Bungalows)

Co-op. Hsg. Soc. Ltd. & Ors.

....Plaintiffs

V/s.

Basantrai & Sons & Ors.

....Defendants

Mr. Ashish Kamat a/w. Ms. Sudeshna G. and Mr. Himank Singh i/b. M/s. Vidhii Partners for the plaintiffs.

Mr. D.V. Deokar i/b. M/s. Parimal K. Shroff and Co. for the defendant no.7.

Mr. Milind More, AGP for the defendant no.9.

CORAM : K.R.SHRIRAM,J

DATE : 4th AUGUST, 2016

P.C.:-

1 This is a suit filed in the year 2006. At the ad-interim stage this court by an order dated 30th August, 2006 was pleased to grant ad-interim relief in terms of prayer clauses – (a) and (b). The order has been in operation for almost 10 years. The contesting defendant no.7 has also filed their written statement. Therefore, the pleadings in the suit are completed.

2 In my view, it would be in the interest of both the parties if the suit proceeds to trial immediately so that atleast in the next year or so the suit can come to an end. Otherwise the matter will be

lingering on for years together.

3 In the circumstances, the order dated 30th August, 2006 is confirmed as final order in the notice of motion and the notice of motion is accordingly disposed in terms of prayer clause – (a) & (b).

4 The plaintiff and the defendant no.7 to file their respective affidavit of documents and also give inspection of the documents relied upon by them to the other side within three weeks from today. Within one week thereafter, parties to file and exchange their statement of admission and denial with reasons for denial.

5 The suit be listed for issues on 6th September, 2016. As this is a suit of the year 2006 the parties are put to notice that no further time will be granted and the parties will be put to terms if these directions are not complied with.

(K.R.SHRIRAM,J)