

Atul

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO. 488 OF 2017
WITH
CIVIL APPLICATION NO. 619 OF 2017

New Sagar Vihar Coop Hsg Soc	...Appellant
<i>Versus</i>	
Audrey Ludwing & Ors	...Respondents

Mr GS Godbole, i/b Yogendra M Kanchan, for the Appellant.
Ms P Lalchandani, for Respondents Nos. 1 to 5.
Mrs Madhuri More, for Respondents Nos. 7 & 8-MCGM.

CORAM: G.S. PATEL, J
DATED: 17th July 2017

PC:-

1. The Appeal is against an interim order dated 15th December 2016. Mr Godbole points out from the compilation of roznama that since then the matter has been heard on many occasions till as recently as 6th July 2017 but without result. It has been part-heard on several occasions before one Judge but before arguments could conclude and an order be passed, a change in assignments intervened.

2. It is not possible to continue in this fashion. The Principal Judge of the City Civil Court is requested to assign the matter to

some Court that has time available from other commitments. This Notice of Motion should be finally disposed of at the earliest possible, and preferably before 12th October 2017. The learned Principal Judge is requested to assign the matter to one Court until its conclusion so that it does not have to be heard afresh by a successor Judge. If an extension of time is required, liberty to the Court to request, if necessary.

3. The parties will appear before the Court assigned on 1st August 2017. The Trial Court is requested to issue directions for fixing a schedule of hearing. If possible, all parties will indicate at least roughly time estimates and will adhere to those. None will seek adjournments. No further filings are to be allowed since the pleadings in the Notice of Motion are complete.

4. The Appeal is disposed of in these terms. There will be no order as to costs.

5. The Civil Application does not survive and is disposed of as infructuous.

6. All concerned to act on an authenticated copy of this order.

(G. S. PATEL, J)