

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 398 OF 2015
WITH
CIVIL APPLICATION NO. 517 OF 2015

Mr. Govind Hardasmal Advani & Anr. .. Appellants
vs.
Mr. Harish Ramesh Advani & Ors. .. Respondents

Mr. A. M. Saraogi for Appellants.
Mr. Sanjiv Sawant with H. S. Kadam for Respondents.

CORAM : M. S. SONAK, J.
DATE: 08 FEBRUARY 2017

P.C :

1] On basis of instructions from the appellants, Mr. Saraogi, learned counsel for the appellants does not press this appeal. However, he submits that some of the appellants are senior citizens and therefore, the trial in the suit may be expedited. Further he submits that it be clarified that whilst deciding the suit, the learned trial Judge need not be influenced by any observations in the impugned order.

2] The request is reasonable. Accordingly, the appeal is disposed of as withdrawn. The trial Judge is directed to dispose of the suit as expeditiously as possible and in any case within nine months from today. Further, it is clarified that none of the observations in the impugned order or for that matter, the

circumstance that this appeal has been withdrawn shall influence the learned trial Judge whilst disposing of the suit on its own merits and in accordance with law.

3] The learned trial Judge, if the parties request, is also at liberty to refer the parties to mediation. In an attempt to see whether the matter is sorted out, since the dispute is amongst the family members.

4] The appeal is disposed of as withdrawn. In view of disposal of appeal, civil application does not survive and is disposed of accordingly.

(M. S. SONAK, J.)