

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**APPELLATE SIDE CIVIL JURISDICTION****APPEAL FROM ORDER NO. 578 OF 2008**

...
 Abdul Khalid Abdul Kadar ChataiwalaAppellant
 V/S
 J.W.C. Logistics Park Pvt. Ltd., And OrsRespondent

...
 Mr.Sachin Maske for the Appellant.
 Mr.Nikhil Wadikar a/w Suyash Gadre and Chetan Mhatre i/by Utangale And
 Co,for Respondents Nos.1 to 4.
 Ms.Priya N. Pilankar i/by Makarand Prabhakar Rege, For the Respondent
 No.5.

...

CORAM : A.A. SAYED, J.

DATED : 20 FEBRUARY 2017

P.C.:

The impugned order (below Exh.5) was passed on 18-02-2008, whereby the Application for injunction was rejected.

2. Learned Counsel for the Respondents Nos.1 to 4 informs the Court that the suit is ripe for hearing, however, only because of pendency of this matter, the Trial Court is not proceeding with the suit.

3. It is also noticed that the order dated 13-6-2015 remains to be complied and the Appellant has not carried out amendment to the AO by adding the Respondent No.5.

4. Considering the fact that there is no injunction order operating against the Respondents right from filing of the suit and the suit is ripe for

hearing, I am not inclined to entertain the Appeal from Order at this stage.

5. As the suit is of the year 2007, the trial Court shall give necessary priority to the suit and dispose of the same expeditiously.
6. With the above observations, the AO is disposed of.
7. Civil Application would not survive and shall stand disposed of.

(A.A. SAYED, J.)