

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO.3433 OF 2017**

Agarwal and Associates Builders  
& Developers & anr.

.... Petitioners

versus

Sai Sadan Co. Op. Hsg. Soc. Ltd. & Anr.

... Respondents

.....

- Mr.Shailesh Kumar Rai, Advocate for the Petitioners.
- Mr.Ashutosh Khandeparkar, Advocate for Respondent No.1.

**CORAM : MRS.MRIDULA BHATKAR, J.  
DATE : 29<sup>th</sup> MARCH, 2017.**

**P.C. :**

1. In this writ petition, the petitioner seeks directions that the learned Judge of City Civil Court, Dindoshi, directed to hear Notice of Motion No.2456/15 and Notice of Motion No.1114/16. On query the learned counsel for the petitioner informs that the Notice of Motion No.1114/16 was heard by the trial Court on 27/03/2017 and the matter is fixed for orders on 24/04/2017. In view of these submissions, the learned trial Judge is expected to pass the necessary orders on that day.

2. The learned counsel further submits that with Notice of Motion No.2456/16 he has requested the learned Judge to decide issue of jurisdiction under order 14 Rule 2. However, he submits that till today original defendants i.e. petitioners have not filed written statement and therefore no order can be passed by the Court in that notice of motion.
3. In view thereof, the petition stands disposed of.

**(MRIDULA BHATKAR, J.)**