

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7926 OF 2017
WITH
WRIT PETITION NO.7205 OF 2017

Eastern International Hotels Ltd

..Petitioner

Vs.

Ms. Urmila G. Hule

..Respondent

Mr. Prasad S. Dani, Senior Advocate a/w Mr. Haridas R. Madhukar, for the Petitioner.

CORAM :- B. P. COLABAWALLA, J.
DATE :- JULY 20, 2017.

P. C.:

These Petitions have been filed challenging the order dated 2nd March, 2017 passed by the Small Causes Court, Bandra on an application Exhibit 65 in L. E. & C. Suit No.65/98 of 2008 and Exhibit 47 in R. A. D. Suit No.351 of 2007. These applications (Exhibit 65 and Exhibit 47 respectively) were the applications for amendment of the written statement and the Plaint in the aforesaid two Suits. These applications came to be allowed by the impugned orders.

2 Mr. Dani, the learned Senior Counsel appearing on behalf of the Petitioner states that though this amendment ought not to be allowed considering that the trial of L. E. & C. Suit No. 65/98 of 2008 had already commenced and no due diligence was shown as required under Order VI Rule 17 of the Code of Civil Procedure, 1908, he submits that since the Suits have been pending since the year 2007/2008, he would not press these Petitions and requests that his Suit namely L. E. & C. Suit No.65/98 of 2008 and R.A.D. Suit No.351 of 2007 (which have been ordered to be tagged and heard together) be expedited and heard in a time bound manner.

3 Considering this request, both these Writ Petitions can be conveniently disposed of by requesting the Small Causes Court at Bandra hearing both aforesaid Suits to dispose of the same as expeditiously as possible and in any event within a period of nine months from today.

4 Both the Writ Petitions are disposed of in the aforesaid terms.

(B. P. COLABAWALLA, J.)