

Mr. Chetan Kapadia with Mr. S.V.Doijode, Mr. P.A.Kabadi, ms. F.J.Thakkar i/by Mr. Nikhil Ranadve, for Applicant.
Mr. Sanjay Jain with Mr. Rahul Hingmire i/by M/s. Hariani and Co., for Respondent Nos.1 and 2.
Ms. Kiran Bagalia, for MMRDA.

CORAM: S.J. KATHAWALLA, J.
DATE: 7th JUNE, 2017

1. Heard the learned Advocates for the parties. By consent, Suit No.4469 of 2007 pending before the Bombay City Civil Court at Mumbai is transferred to this Court and hearing of the said Suit is expedited by consent of the parties. The Applicant shall be at liberty to move the Hon'ble the Chief Justice and have the transferred Suit i.e. Suit No.4469 of 2007 and Suit No.54 of 2014 already pending before this Court, placed before the same Court. It is clarified that the learned Single Judge presiding over the Court to which both the Suits may be assigned, shall decide whether the trial of both the suits should be together or common evidence should be lead by the parties in both the suits etc.

2. The above Misc. Civil Application is accordingly disposed of.

(S.J.KATHAWALLA, J.)