

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1342 OF 2017
IN
WRIT PETITION NO.8965 OF 2003

Homi Jal Chibber Applicant

In the matter of

Gemma Antonia Fonseca & Anr. Petitioners

Vs.

Nargis Modi (since deceased) Respondents
& Ors.

Mr. A.K. Khandeparkar i/by Khandeparkar & Associates for the Applicant.

None for the Respondents.

CORAM : G.S. KULKARNI, J.

DATE : 21 JULY, 2017

P.C. :

Heard Mr. Khandeparkar, the learned counsel for the applicant.

2 By this civil application, a prayer is made that the writ petition be heard at an early date. He states that the petitioner is a senior citizen as also issue involved pertains to the challenge to the order passed by the Bench of Small Causes Court, whereby the said Bench had refused to set aside the abatement of the proceedings.

3 Considering the averments as made in the civil application and the nature of the issue, as also the fact that the petitioner is a senior citizen and that the proceedings before the trial court would have to be proceeded with on merits if the petition succeeds, it would be appropriate to list this petition on final hearing board in the week commencing 14th August, 2017 under the caption “Senior Citizens/Expedited Matters”. The civil application is accordingly disposed of in the above terms. No costs.

(G.S. KULKARNI, J.)