

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO. 507 OF 2014
WITH
CIVIL APPLICATION (ST) NO. 17944 OF 2017
IN
APPEAL FROM ORDER NO. 507 OF 2014

Deepak Vishwanath Pingle & Anr	...Applicants
<i>Versus</i>	
Dwarkadas Pragji Vrindavan Charitable Trust & Ors	...Respondents

Mr Sanjiv A Sawant, *a/w Saloni Ghule for the Applicants.*
Mr CG Gavnekar, *i/b ?Suhas Deokar, for Respondents Nos. 1 & 2.*

CORAM: G.S. PATEL, J
DATED: 31st July 2017

PC:-

1. The suit is of 2012. There is no reason why it should be pending for so long. Mr Sawant is correct that there is in the order of 8th July 2015, a statement made on behalf of Respondent no.2/Defendant no. 2 that curtails its rights in respect of certain properties. This situation cannot be allowed to continue indefinitely simply because the suit is not being taken up. In saying this, the appellant is not attributing anything to the other side.

2. The Civil Judge Senior Division, Nashik is requested to take up the matter for framing issues on 11th September 2017 and to then set a date for evidence and trial. I request the Trial Court to fix a schedule, and the parties are directed to adhere to it. The Trial Court is requested to endeavour to finally dispose of the suit on or before 30th March 2018.

3. The appeal and the civil application both are disposed of in these terms. There will be no order as to costs.

(G. S. PATEL, J)