

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 162 OF 2017

Ajimuddin Sabdul Patel

... Appellant

Versus

Hasan Abdul Patel and Anr.

... Respondents

ALONG WITH
CIVIL APPLICATION NO. 377 OF 2017

Mr. P.B. Gujar for the Appellant.

Mr. Vaibhav Gaikwad for Respondents.

CORAM : S.J. KATHAWALLA, J.

DATED : 6TH JULY, 2017

P.C.:

1. Heard the learned Advocates appearing for the parties.
2. The order passed by the Trial Court as well as the Appellate Court are set aside.
3. The Appellant herein shall file his Written Statement within a period of two weeks from today before the Trial Court and forthwith forward a copy of the same to the Advocate of the Respondent herein.
4. The Trial Court shall proceed with the trial of the original Regular Civil Suit No. 227 of 2009, if necessary on day to day basis and dispose off the Suit within a period of 12 weeks from the date of this order.
5. The parties to the original Regular Civil Suit No. 227 of 2009 shall not be

granted any adjournment by the Trial Court unless absolutely necessary.

6. The Appellant herein shall within four weeks from today, donate an amount of Rs. 10,000/- to any Charity named by the Respondent herein.

7. Parties shall produce a copy of this order before the Trial Court on 11th July, 2017 at 11.00 a.m. and obtain necessary directions.

8. All concerned to act on an authenticated copy of this order.

9. The above Second Appeal as well as Civil Application are accordingly disposed off.

(S.J.KATHAWALLA,J.)