

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**APPEAL FROM ORDER NO.161 OF 2014
WITH
CIVIL APPLICATION NO.188 OF 2014
IN
APPEAL FROM ORDER NO.161 OF 2014**

Smt. Sushilabai Chimanlal Shah & Ors. ... Appellants/Applicants

vs.

Shri Nathamal Rekhchand Sancheti & Ors. ... Respondents

Mr. P.K. Dhakephalkar, Senior Advocate a/w Mr. K.S. Dewal for the Appellants/Applicants.

Mr. Sanjay Jain a/w Mr. Asfiya Cutchi a/w Mr. Mahitab Alam i/b M/s. K.K. Associates for the Respondent No.1.

Mr. Sudhan Y. Amre for the Respondent No.10.

Mr. Nachiket V. Khaladkar for the Respondent Nos.11 to 15.

Coram : **A.A.Sayed, J.**

Date : 28 February 2017

P.C. :

1 It is an admitted position that there is an ad-interim order of status quo operating since 1 March 2011 after the suit was filed. The same has been continued by this Court in the aforesaid Appeal from Order even after the passing of the impugned order dated 12 August 2013 by which an Application for temporary injunction Exhibit 5 has been rejected.

2 It is noticed that the contesting parties claim that the other side is/are not the heir/s of the deceased Smt. Chandanabai Shah and have

no title to the suit properties. In the facts and circumstances of the case and considering the fact that the ad-interim order is operating since 2011 and has been continued by this Court till date and inasmuch as the suit is ripe for hearing, in my view, interest of justice will be served, if the Appeal from Order is disposed of by passing the following order:

O R D E R

- i) The ad-interim order dated 1 March 2011 of status quo of the Trial Court which has been continued by this Court and operates till date, shall continue to operate until disposal of the suit.
 - ii) The Trial Court shall endeavour to dispose of the suit expeditiously and in any event by 30 April 2018.
- 3 The Appeal from Order shall stand disposed of in the aboves terms. The Civil Application does not survive and to stand disposed of.

(A.A.Sayed, J.)