

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 14278 OF 2016**

Attia Zaidi

..Petitioner

v/s.

The State of Maharashtra & Ors.

..Respondents

Mr. Sayed Asif Abbas Naqvi for the Petitioner

Mr. V.P.Malvankar, AGP "A" Panel for the Respondent-State.

**CORAM : A.S.OKA & ANUJA PRABHUDESSAI, JJ.
DATED : 2ND FEBRUARY, 2017**

P.C.

1. Heard the learned Counsel appearing for the petitioner. The only prayer in this petition under Article 226 of the Constitution of India is for directing the learned Civil Judge, Junior Division at Panvel to dispose of the pending old suit.

2. A judicial notice will have to be taken of the fact that there is a huge pendency in the Civil Court at Panvel. Therefore, if the petitioner wants out of turn hearing on the grounds which are set out

in this petition, it is for him to apply to the concerned Court requesting the Court to give out of turn priority to the hearing of the suit. If such an application is made, we are sure that the learned trial Judge will consider the request made by the petitioner after taking into consideration the pendency of old cases in his Court. We are unable to issue writ of mandamus fixing time bound schedule in respect of the disposal of the suit.

3. Subject to what is observed the above petition is disposed of.

(ANUJA PRABHUDESSAI, J.)

(A.S.OKA, J.)