

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.41701 of 2017

ORDER:

The petitioner aggrieved by the order dated 07.06.2017 in I.A.No.263 of 2016 in O.S.No.217 of 2016 filed CMA, which is acknowledged in the inward Section of 2nd respondent on 20.07.2012. Now, the grievance of petitioner is that 2nd respondent has so far not given notice either in interlocutory application or appeal. Hence, the writ petition.

The petitioner filed miscellaneous appeal aggrieved by an order refusing to grant injunction. The petitioner has also filed interlocutory application before the 2nd respondent.

This Court is of the view that the 2nd respondent ought to have taken up atleast the interlocutory application along with miscellaneous appeal and passed order in the matter.

Since nothing has happened, I am satisfied the writ petition can be disposed of by this order:

“The petitioner is given liberty to file a memo by enclosing a copy o this order within one (01) week from today. The 2nd respondent on receipt of memo, disposes of interlocutory application filed

by petitioner in CMA within six (06) weeks thereafter, in accordance with law.”

Writ petition is accordingly disposed of. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

Dt: 08.12.2017
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