

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

**APPEAL FROM ORDER NO.284 OF 2016**

|                                |                  |
|--------------------------------|------------------|
| Vasant Atmaram Patil and Ors.  | .... Appellants  |
| V/s.                           |                  |
| Motiram Shankar Bhoir and Ors. | .... Respondents |

Mr. Ajay Basutkar a/w. Ms. Suvarna Ambre, for the Appellants.

Mr. Pradeep J. Thorat for Respondent No.1.

**CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.**

**DATE : 10<sup>TH</sup> SEPTEMBER, 2018.**

**P.C. :**

1. Heard Mr. Basutkar, learned counsel for the Appellant, and Mr. Thorat, learned counsel for Respondent No.1.
2. This Appeal is preferred against the order dated 8<sup>th</sup> January 2016 passed by the City Civil Court, Mumbai, in Notice of Motion No.3219 of 2015 in S.C. Suit No.1874 of 2015,.
3. Learned counsel for Respondent No.1 points out that, now the Suit is fixed for hearing on 15<sup>th</sup> October 2018.
4. Admittedly, during the pendency of this Appeal, there was no ad-interim relief. In such situation, it would be proper and in fitness of the things that, instead of deciding this Appeal, the parties are relegated to the Trial Court for hearing on the Suit. Ordered accordingly.

5. The Trial Court is directed to make an endeavour to decide the Suit as expeditiously as possible.
6. Appeal is disposed off in the above terms.

**[DR. SHALINI PHANSALKAR-JOSHI, J.]**