

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.929 OF 2017
IN
WRIT PETITION NO.1422 OF 1996

Uttar Pradesh State Handloom Corporation Limited, Mumbai.	 Applicant
<i>In the matter between</i>	
Uttar Pradesh State Handloom Corporation Limited, Mumbai.	 Petitioner
<i>V/s.</i>	
The Oriental Insurance Co. Ltd. & Ors.	 Respondents

Mr. Anand A. Pande, i/by Mr. A.R. Pande, for the Applicant-Petitioner.

Mr. V.Y. Sanglikar for Respondent No.1.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 6TH FEBRUARY 2018.

P.C. :

1. Heard Mr. Pande, learned counsel for the Applicant, who has filed this Civil Application, seeking following reliefs :-

- “(a) That, delay in filing the present Civil Application and the Undertaking be condoned;*
- (b) That, the office be directed to take on record the Undertaking of the Applicant and also the monthly compensation, as this Honourable Court deem fit and proper;*

- (c) *That, the possession of the suit premises being Shop No.8 and 8/A in Indian Mercantile Mansion, situated at 22/24, Madam Cama Road, Opp. Regal Cinema, Mumbai - 400 005, be restored to the Applicant;*
- (d) *That, urgent ad-interim and interim order in terms of prayer clauses (a) to (c) above;*
- (e) *That, such other and further reliefs be granted to the Applicant, as this Honourable Court deem fit and proper."*

2. However, it is admitted that the possession of the premises is already taken over, as the undertaking was not filed within the stipulated period and the Applicant has already approached the Hon'ble Supreme Court. Special Leave Petition preferred by the Applicant is also pending in the Hon'ble Supreme Court.

3. In view thereof, as the Hon'ble Supreme Court is seized of the matter, this Court cannot entertain this Civil Application; hence, the same stands dismissed.

[DR. SHALINI PHANSALKAR-JOSHI, J.]