

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

WRIT PETITION (ST.) NO. 14267 OF 2018

IVP Limited

... Petitioner.

V/S.

Maharashtra State Electricity Distribution
Company Ltd., & Ors.

... Respondents.

Mr. Girish Godbole, Advocate a/w. Shrivardhan Deshpande and
Sahil Hirjani i/by Desai & Diwanji for the Petitioner.

Ms. Kavita N. Solunke, AGP for the State.

Mr. Zubin Morris, Advocate a/w. Mr. Nirav Shah, Mr. Anuj Jaiswal
i/by Little & Co. for Respondent No.2.

CORAM : V. L. ACHLIYA, J.
(Vacation Court)

DATE : MAY 17, 2018

P.C.

1 Leave to amend. Amendment to be carried out forthwith.

2 Heard the learned counsel for the Petitioner and
Respondent No.2. Respondent No. 1 is absent, though served.

3 Since the order impugned is interim order and the main
appeal is pending before the Appellate Authority, it is suggested to
the learned counsel for the parties to dispose of the petition, by

directing the Appellate Court to decide the appeal expeditiously and in time bound manner.

4 Learned counsel for the parties agree to the suggestion.

5 By consent, the following order is passed :

ORDER

i. The impugned order dated 25.04.2018 passed by the District Judge -3, Kalyan in Misc. Civil Appeal No 13 of 2018 below Exh. 1, is set aside.

ii. Both the parties are directed to appear before the Appellate Court on 05.06.2018.

iii. The Appellate Court is directed to hear and decide the Appeal as expeditiously as possible within a period of four weeks from the date of the appearance of the parties.

iv. The status-quo in respect of the subject matter of the suit, to be maintained till disposal of the Appeal or expiry of four weeks whichever is earlier.

v. The parties are directed to co-operate with the Appellate court in expeditious disposal of the Appeal.

vi. All contentions of the parties are kept open, to be raised before the Appellate Court.

vii. It is clarified that the pendency of the Appeal and operation of the status -quo order shall not prevent the concerned Authority to adopt appropriate remedy to secure permission/ order, if any required from statutory authority for providing electric supply through transmission line to the factory premises of Respondent No.2.

6 The writ petition is disposed of in the above terms.

All concerned to act upon authenticated copy of this order.

(V. L. ACHLIYA, J.)

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