

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

**APPEAL FROM ORDER NO.740 OF 2016
WITH
CIVIL APPLICATION NO.931 OF 2016
IN
APPEAL FROM ORDER NO.740 OF 2016**

Smt. Vina Arvindlal Siswawala &
Ors.

...Appellants

Versus

Bhounik Co-operative Housing
Society Ltd. & Anr.

...Respondents

.....

Mr. Yogendra Rajgor i/b. M/s. Legal Chartered for the
Appellants/Applicants.

Ms Shamina T. i/b. Mr. S. Mohammedbahi and Co. for the Respondents.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 3rd APRIL, 2018.

P.C.:-

The Appellant herein has challenged the order dated 2nd March, 2016 whereby the learned Judge, City Civil Court, Dindoshi, Mumbai has rejected the ad-interim relief in Notice of Motion No.562 of 2016 in Suit No.175 of 2016. The learned counsel for the Appellants as well as the Respondents submit that pleadings are complete and that the motion itself can be disposed of on merits.

2. In the light of the said statement, appeal is disposed of with

directions to the learned Judge to dispose of the motion as expeditiously as possible and in any case within a period of six weeks from the date on which this order is uploaded.

3. It is made clear that this Court has not gone into the merits of the matter and the learned Judge shall decide the notice of motion on its own merits and in accordance with law. All points and contentions of the respective parties are kept expressly open.

4. In view of disposal of the Appeal from order, the Civil Application No.931 of 2016 does not survive and hence stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)