

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER ST. No. 19092 OF 2015
WITH
CIVIL APPLICATION No. 1190 OF 2015
IN
APPEAL FROM ORDER ST. No. 19092 OF 2015

Reward Real Estates Private Limited ...Appellant

Versus

Shriram Co-operative Housing Society Limited ...Respondent

.....
Mr.Rushil Mehta for the Appellant.
Mr.Pradeep J. Thorat for the Respondent.
.....

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE : **FEBRUARY 02, 2018**

P.C.:

1. The learned Counsel for the respondent/defendant submits that the appellant/plaintiff has preferred this Appeal from Order against the order dated 28th April, 2015 passed by the learned Judge, City Civil Court, Borivali Div., Dindoshi, Goregaon wherein the learned Judge has refused to grant ad-interim relief. He produces document showing the status of the case as on 23.01.2018. From the

document, it shows that the affidavit of examination in chief of the plaintiff is on record and it is under cross-examination. The Roznama shows that since 19.09.2017, the matter is adjourned from time to time for cross-examination by the defendant. On 23.01.2018, the costs of Rs. 500/- was saddled on the defendant.

2. In view of the above, it is not necessary to go ahead with this Appeal from Order, but the Suit needs to be decided expeditiously. In the Suit, a short issue of access is involved. It is informed that the matter is fixed on 14.02.2018 before the trial Court. Hence, Appeal from Order is disposed of with following order.

ORDER

(i) The learned counsel for the respondent/ defendant shall remain present in the trial Court and shall conduct cross examination.

(ii) Both the parties to co-operate the trial Court and shall not take any adjournment. The trial Court to expedite the matter, hear and conclude the Suit within a period of six months from 14.02.2018.

3. Civil Application is also accordingly disposed of.

(MRIDULA BHATKAR, J.)