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

**APPEAL FROM ORDER NO. 1195 OF 2015
WITH
CIVIL APPLICATION NO. 1510 of 2015
IN
APPEAL FROM ORDER NO. 1195 OF 2015**

Mr. Velji R. Shah	.. Appellant/Applicant
Vs.	
Baban Gangaram Raut & Anr.	.. Respondents

Ms. Nisha Mailgir I/b Haresh J. Lulia for the Appellant/Applicant.

CORAM : K. K. SONAWANE, J.
DATE : 23rd JULY, 2018.

P. C. :

1. Learned Counsel for the appellant submits that the original proceeding is pending before the learned Trial Court since long for final hearing on merits. The learned Counsel requested to issue directions to the Trial Court for expeditious hearing and its adjudication on merit within stipulated period.
2. When the matter is called out, no one appeared on behalf of respondents. Notices were already served on the respondents since year 2015.
3. In such peculiar circumstances, there is no impediment to issue directions to learned Trial Court to proceed with Long Cause Suit No. 2513 of 2009 and shall take efforts for expeditious hearing and its adjudication

on merits at the earliest, more particularly, within a year from the date of this order. Admittedly, the suit is pending since the year 2009 before the learned Small Cause Court. Therefore, the parties are hereby directed to co-operate to Trial Court for expeditious hearing and in case the parties attempted to protract the matter, the learned Trial Court is at liberty to deal with the issue within purview of law and proceed further for expeditious hearing of the matter on merits.

4. With such directions, the appeal stands disposed of accordingly.

5. In view of disposal of appeal, the civil application does not survive and stands disposed of.

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[K. K. SONAWANE, J.]