

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

WRIT PETITION NO.11042 OF 2015

Pramila Sumansingh Thakur

.. Petitioner

Vs.

Manojkumar Jagdishchandra Maniar & Anr.

.. Respondents

Ms.Pramila S. Thakur, petitioner-in-person present.

Mr.Bharat Joshi for the respondent nos.1 & 2.

CORAM : R.D. DHANUKA, J.

DATE : 5th September 2018

P.C.:

. By this petition filed under Article 227 of the Constitution of India, the petitioner has impugned the order dated 24th June 2015 passed by the learned Judge, City Civil & Sessions Court, Greater Bombay granting unconditional leave to defend the suit in favour of the respondent (original defendant) in the Summons for Judgment No.225 of 2014 in the summary suit which is prima facie filed on the basis of the oral agreement between the parties.

2. In my view, the learned Judge, City Civil & Sessions Court has rightly granted unconditional leave to the defendant to defend the suit in view of the alleged oral agreement between the parties. Hearing of the suit is expedited.

3. I do not find any infirmity in the impugned order dated 24th June 2015 passed by the learned Judge, City Civil & Sessions Court. Parties are directed to co-operate with each other and the learned Judge, City Civil & Sessions Court in disposal of the said suit. The defendant is

directed to file affidavit of evidence within two weeks from today and serve a copy thereof upon the petitioner's advocate simultaneously. The petitioner shall also file a list of witnesses of the respondent simultaneously. Learned Judge, City Civil & Sessions Court shall make an endeavour to dispose of the said suit expeditiously and not later than one year from the date of commencement of the hearing. Writ petition is disposed of in aforesaid terms. No order as to costs.

R.D. DHANUKA, J.