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

**WRIT PETITION NO.11554 OF 2017**

|                              |     |             |
|------------------------------|-----|-------------|
| Deepa Suresh Gada            | ... | Petitioner  |
| V/s.                         |     |             |
| Ramji Bhimshi Gindra and ors | ... | Respondents |

**ALONGWITH  
WRIT PETITIONNN NO.11592 OF 2017**

|                               |     |              |
|-------------------------------|-----|--------------|
| Suresh Vasanji Gada           | ... | Petitioner   |
| -vs-                          |     |              |
| Smt.Deepa Suresh Gada and ors | ... | Respondents. |

Mr. A. V.Anturkar, Senior Advocate a/w Mr.  
Rajesh Datar, for the Petitioners.

Mr. Sandesh Patil a/w Mr. Amit Shaligram  
with Mr. Tejas Tipre with Ms. Amruta Joshi  
i/by Govind B. Solaunke, for the Respondent  
Nos. 1 & 2.

Mr. I. K. Tripathi a/w Mr. Patole I/by C.Y..  
Tanawade, for respondent No.3.

**CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.**

**DATE : 18<sup>th</sup> JANUARY, 2018.**

**P.C. :**

1] After arguing the matter for some time, learned Senior  
Counsel for the petitioner and learned counsel for the respondent Nos.  
1 & 2, on instructions, from their respective clients, who are present

before the Court, have arrived at the following interim arrangement:-

i] The hearing of the suit bearing R.C.S.No.847 of 2016, pending before the trial Court is expedited. The Trial Court is directed to decide the suit as expeditiously as possible and preferably within three months from the receipt of this order and the parties to co-operate in expeditious disposal of the suit.

ii] Meanwhile the order of injunction passed by the Appellate Court in Misc. Appeal No.129 of 2017 thereby restraining the petitioner from carrying out construction of suit building wherein the suit shop is located, stands vacated.

iii) It is also agreed between the parties that by way of interim arrangement, shops on the ground floor marked as "A" and premises on the first floor marked as "B" and "C", as shown in the photograph shall be reserved and petitioner shall not create any third party interest therein till decision of the suit. The photograph tendered by learned counsel for the respondent is taken on record and marked "X" for identification.

iv] As regards shop premises standing on the name of American Watch Company, learned Senior Counsel for the petitioner makes statement at Bar that American Watch Company was the original tenant in the suit premises and possession thereof is already handed over to American Watch Company.

v] It is further clarified that whatever

arrangement is arrived at, is only by way of interim measure and ad-hoc one.

- 2] Both the petitions are accordingly disposed of.
- 3] All the rights and contentions of the parties and their equities are also left open to be decided at the time of trial, by the trial Court.
- 4] The parties to act on the authenticated copy of this order.

**[DR.SHALINI PHANSALKAR-JOSHI, J.]**