

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

**APPEAL FROM ORDER NO. 1156 OF 2015
WITH
CIVIL APPLICATION NO. 692 OF 2016**

Lalitha Vasu Shetty and another ... Appellants
Versus
Mohan K. Shetty and others ... Respondents

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Mr. P. J. Thorat i/b Mr. Lalit V. Jain for Appellants.
Mr. Rajesh Dixit i/b Mr. V. R. Tripathi for Respondent No.1.
Mrs. Madhuri More for Respondent No.5-B.M.C.

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CORAM : K. K. SONAWANE, J.

DATE : 24th JULY, 2018.

P. C.:

1. Heard learned Counsel for the appellants and respondents No.1 and 5.
2. Respondents No. 2, 3 and 4 remained absent. They did not caused their appearance in the proceedings during the course of hearing. Learned Counsel for appellants fairly conceded that he will not press the relief prayed in the appeal. However, he requested to issue directions to the learned trial Court for expeditious hearing in the matter for its decision on merit within stipulated period.
3. In view of above submissions, there is no impediment to dispose of the present Appeal from Order as not pressed on behalf

of the appellants with certain directions to the learned trial Court for its expeditious hearing in the matter.

4. Accordingly, Appeal from Order stands disposed of as withdrawn. No order as to costs. It is further stipulated that the learned trial Court shall take endeavour for expeditious hearing into the matter and shall adjudicate the proceedings bearing L.C. Suit No. 2871 of 2013 at the earliest, more particularly, within a period of six months from the date of this order.

5. The parties to the proceedings shall co-operate to the learned trial Court. In case, the learned trial Court observed non cooperation from any of the parties to the proceedings, the learned trial Court is at liberty to take appropriate steps for adjudication of the proceedings expeditiously within stipulated period.

6. In view of withdrawal of Appeal from Order, Civil Application does not survive and the same also stands disposed of.

(K. K. SONAWANE, J.)

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