

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

**APPEAL FROM ORDER NO. 121 OF 2016  
WITH  
CIVIL APPLICATION NO.157 OF 2016**

Sanjeeva Venkappa Acharya and another      ... Appellants  
Versus  
M/s. Maple Tie-up Pvt. Ltd. and others.      ... Respondents

.....

Ms Anjali Awasthi, Advocate a/w Mr. Nitesh Acharya, Advocate for the Appellants.

Mr. Viraj Maniar, Advocate i/b M/s Maniar Srivastava Associates for Respondent No.1.

Mr. Ansari Ayaz Ahmed, Advocate i/b I. G. Buddhadev, Advocate for Respondent No.2-Society.

Mrs. Madhuri More, Advocate for Respondent No.3-BMC.

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**CORAM : A. S. CHANDURKAR, J.**

**DATE : 27<sup>th</sup> NOVEMBER, 2018.**

**P. C.:**

1. In this appeal, the appellants have challenged the order dated 16<sup>th</sup> October, 2015, whereby the trial Court has refused to grant any ad-interim relief in the draft Notice of Motion. Though the present appeal is pending, there is no interim order operating in favour of the present appellants. Considering the fact that the Notice of Motion is still pending before the trial Court, the interests of justice would be served if the trial Court is directed to decide the said Notice of Motion expeditiously. All contentions sought to be raised by the parties can be so raised before the trial Court.

2. Accordingly, the present Appeal From Order is disposed of by directing the trial Court to decide the said Notice of Motion expeditiously and by the end of March, 2019. It is made clear that this Court has not examined the merits of the order passed by the trial Court. All contentions are kept open for being urged before the trial Court.

3. In view of disposal of Appeal From Order, the Civil Application does not survive and the same is also disposed of.

**( A. S. CHANDURKAR, J. )**