

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

**APPEAL FROM ORDER NO. 264 OF 2017
WITH
CIVIL APPLICATION NO. 962 OF 2017
IN
APPEAL FROM ORDER NO. 264 OF 2017**

Ramshet Ramprasad Sonar & Anr.Appellants/Applicants
V/s.
The Municipal Corporation of
Greater Mumbai & Anr.Respondents

Mr. Suresh S. Lanke a/w. Mr. Karan R. Chavhan for the appellants.
Mr. Mayuresh Nagle a/w. Ms. M.R. Bhoir for R.No.1.

**CORAM : V.M. DESHPANDE, J.
DATED : 26th JUNE, 2018.**

P.C.:

. Heard Mr. Suresh Lanke, learned counsel for the appellants and
Mr. Mayuresh Nagle, learned counsel for respondent no.1.

2. The appeal questions the correctness or otherwise the order
passed by the learned Ad-hoc Judge, City Civil Court, Greater Bombay
dated 19th November, 2016 in Long Cause Suit No.2622 of 2016
rejecting the Notice of Motion No.3924 of 2016.

3. In this appeal, on 23rd December, 2016, this Court (Coram : G.S.

Kulkarni, J.) has directed the parties to maintain status quo in respect of the suit structure and the same is in operation till today. Mr. Suresh Lanke, learned counsel for the appellants submits that the pleadings before the Court below are complete and the issues are already framed. Therefore, he submits that the directions can be given to the Trial Court for expeditious disposal of the suit and till that time, the order of the status quo may be continued.

4. Since the pleadings are already complete and affidavit-in-lieu of evidence are already filed on record, the direction can be given to the Trial Court to dispose of the suit as expeditiously as possible. Hence, I pass the following order :-

(i) The appeal is disposed of by maintaining the impugned order dated 19th November, 2016 passed by the learned Ad-hoc Judge, City Civil Court, Greater Bombay in Long Cause Suit No.2622 of 2016.

(ii) The Trial Court on whose file the Long Cause Suit No.2622 of 2016 is pending shall try and dispose of the same within a period of one and half year from today after giving opportunity of hearing to both the parties. Till that time, the interim order granted by this Court on 23rd December, 2016 shall remain in operation.

(iii) The appellants are directed not to make any construction, alteration or modification of whatsoever in nature in respect of the suit structure.

(iv) With this, Appeal from Order is disposed of with no order as to costs. All pending Civil Applications are also disposed of.

(V.M. DESHPANDE, J.)