

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.14225 OF 2017

Sanghvi Movers Limited, Pune Petitioner
V/s.
Inox Wind Infrastructure Services Ltd. & Anr. Respondents

Mr. Dharam Juman, a/w. Mr. Suraj Iyer and Mr. Hussain Dholkawala,
i/by M/s. Ganesh & Co., for the Petitioner.

Mr. Pratyush B. Ranjan for the Respondents.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 30TH JANUARY 2018.

P.C. :

1. Heard Mr. Juman, learned counsel for the Petitioner, and
Mr. Ranjan, learned counsel for the Respondents.

2. This Writ Petition is filed for directing the Trial Court, which is,
namely, District Judge No.1, Pune, to decide expeditiously the
application filed at “Exhibit-5” in Special Civil Suit No.1 of 2017. It is
submitted that, the said application was filed in the Trial Court on 9th
January 2017. Respondents appeared in the proceedings in March,
2017. The pleadings were complete in June, 2017 and till today, the
application at “Exhibit-5” is not being decided and that is really

frustrating the object of establishing the Commercial Court, which is to provide expeditious remedy for recovery of the amount; in the present case is for the amount of Rs.34,45,35,572/-.

3. In view thereof, considering the object of establishing the Commercial Court and having regard to the fact that the application at “Exhibit-5” is pending since last about a year, in the interest of justice, this Writ Petition is allowed.

4. The Trial Court is directed to decide the application at “Exhibit-5” filed in Special Civil Suit No.1 of 2017 as expeditiously as possible and preferably within a period of one month from the date of receipt of a copy of this order.

[DR. SHALINI PHANSALKAR-JOSHI, J.]