

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.2213 OF 2018**

M/s. Rajeshwar Land Developers Pvt Ltd. ..Petitioners

Vs.

The State of Maharashtra & Ors. ..Respondents

Mr.Anand Mishra I/by Mr.Ashok Mr.Ashok M. Saraogi for the
Petitioner.

Ms.Nisha Mehra, AGP for Respondent No.1.

Mr.Pradeep M. Patil, for Respondent No.11.

**CORAM : A.S. OKA &
R.I.CHAGLA, JJ.**

DATE : 22nd JUNE, 2018

P.C.

Not on board. Taken on board.

1 The first prayer is for issuing a writ of mandamus directing the City Civil Court to dispose of the suit of the year 2017 within a period of three months.

2 A judicial notice will to be taken of the fact that there are very old suits pending in the City Civil Court. Therefore, such a direction cannot be issued to the City Civil Court. Moreover, the Petitioner is not even a party to the said suit.

3 As far as the prayer clause (b) is concerned, the Petitioner seeks to challenge ad-interim relief granted in the said suit. The Petitioner is

not without any remedy. Hence, we decline to entertain this Petition under Article 226 of the Constitution of India. The remedy of the Petitioner is kept open.

4 The Petition is disposed of.

(R.I. CHAGLA, J)

(A.S. OKA, J)