

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****NOTICE OF MOTION NO.1067 OF 2013****IN****SUIT NO.101 OF 2013**

Balbhim Gyanba Shinde

... Plaintiff

Versus

Dilip D. Pawar And Savita D. Pawar

... Defendants

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Mr. R.A. Thorat, Senior Advocate, i/b. Mr. Pradeep J. Thorat, for the Plaintiff/Applicant.

Mr. A.R. Pai, i/b. Ms. Neuty N.Thakkar, for the Defendants.

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CORAM**: S.C.GUPTE, J.****DATED****: 10 OCTOBER 2018****P.C.:**

. Heard learned Counsel for the parties. It is pointed out that by an order dated 12 December 2013, this Court recorded a statement on the part of the Defendants that they would not create any third party right in respect of the third floor of the premises, which forms the subject matter of the present suit, until the Plaintiff is removed from the third floor by due process of law. Learned Counsel for the Defendants does not propose to resile from that statement. Learned Counsel for the Plaintiff is agreeable to have this ad-interim statement continued as an interim statement, and not press the notice of motion for any further relief. The notice of motion is accordingly disposed of by accepting the statement recorded by this Court on 12 December 2013 as an interim statement pending the hearing and final disposal of the suit.

2. Since the written statement has already been filed in the suit, the suit may come up for framing of issues on 25 October 2018.

3. It is expected that in keeping with the spirit of the statement referred to above, the parties shall cooperate for expeditious hearing of the Small Causes Court Suit for eviction of the Plaintiff.

(S.C.GUPTE, J.)