

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Wednesday, the Seventh day of February Two Thousand Eighteen

PRESENT

THE HON'BLE MR.JUSTICE M.VENUGOPAL

and

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

CMP Nos.2378, 571, 1386 of 2018

IN OSA.13/2018

S.MUKANCHAND BOTHRA

[PETITIONER IN ALL THE PETITIONS]

Vs

1 M.PAWAN KOTHARI

[RESPONDENTS IN ALL THE PETITIONS]

2 JHAVERI LAL

3 BHIMSA

4 RATTAN

Petitions praying that in these circumstances stated therein and in the respective affidavits filed therewith the High Court will be pleased to

(i) advance the hearing of the above original side appeal from 19.02.2018 and thus render justice (in CMP.2378/2018);

(ii) stay the fair and decreetal order dated 11/12/2017 made in A.No.4639/2017 in CS NO. 703/2003 pending disposal of the above OSA (in CMP.571/2018) and

(iii) grant an order of injunction restraining the 1st respondent his men, his representatives his agents either directly or indirectly from putting up construction in the schedule mentioned proper in C.S. No.703 of 2003 (in CMP.1386/2018) pending OSA No.13/2018.

SCHEDULE

House, Ground E premises bearing No.45, Veerappan St, Sowcarpet, Chennai-79, situated within the Sub-Registration District of Sowcarpet.

Order : These petitions coming on for orders upon perusing the petitions and the respective affidavits filed in support thereof and upon hearing the arguments of MR.S.MUKANCHAND BOTHRA, Petitioner-in-Person appearing for himself in all the peitions and of MR.N.NAGUSAH, Advocate for the 1st respondent in all the petitions, the court made the following order:-

[Order of the Court was made by M.VENUGOPAL, J.]

The Petitioner has filed this Civil Miscellaneous Petition to advance the hearing of the present Original Side Appeal.

2.It is represented on behalf of the contesting 1st Respondent that the Petitioner has not handed over the relevant typed set of O.S.A. Papers, but, only a portion of the relevant papers [viz., Copy of Plaint, Decree, Judgment and Grounds of Appeal dated 08th January, 2018] were furnished on behalf of the Petitioner.

3.As such, this Court directs the Petitioner/Appellant to supply all the relevant papers [viz., Petition, Affidavit and all the Civil Miscellaneous Petitions etc.] in complete format by 19.02.2018 to the Respondents. The reason for posting the matter to 19.02.2018 is that on earlier occasion i.e. on 25.01.2018, this Court had directed the Respondents to file counter.

4.As such, this Court is not inclined to advance the hearing of the Appeal from 19.02.2018 to this date. **Accordingly, C.M.P.No.2378 of 2018 is closed.**

5.The Registry is directed to list the matter on **19.02.2018.**

-sd/-

07/02/2018

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE SUB ASSISTANT REGISTRAR
ORIGINAL SIDE, HIGH COURT, CHENNAI-104

C.C. to MR.S.MUKANCHAND BOTHRA Advocate on payment of necessary charges

Order

in
CMP.2378, 571, 1386/2018

in
OSA.13/2018

Date :07/02/2018

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
JK 12/02/18