

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

**APPEAL FROM ORDER NO. 224 OF 2019
IN
NOTICE OF MOTION NO. 4589 OF 2015
IN
S.C. SUIT NO. 2851 OF 2015**

Smt.Hansa Bhagwandas Soni & Anr.

...Appellants

Vs.

Suryakant Nandlal Soni & Ors.

...Respondents

Mr.A.S. Khandeparkar I/b. Rakesh Bhasin & Shefali Bhasin for Appellants.

Mr.R.S. Tripathi I/b. Vinod K. Shukla and Kanchan Gupta for Respondents.

CORAM : S.C. GUPTE, J.

DATE : 19 AUGUST 2019

P.C. :

This appeal from order challenges an interlocutory order passed by the trial court in a suit filed by the Respondents herein seeking declaration of joint ownership of the suit property and a decree of possession and perpetual injunction. The impugned order has been passed by the trial court on an interlocutory application made by the Respondents in that suit. The impugned order *inter alia* injuncts the Appellants (original Defendants) from creating any third party rights in respect of the suit premises.

2 At the hearing of the AO, it is agreed between the parties that the appeal can be disposed of by expediting hearing of the suit. The suit is at the stage of framing of issues. It appears that the draft issues have been tendered by the parties which need to be settled by the court.

3 The AO is, accordingly, disposed of by directing the Bombay City Civil Court hearing S.C. Suit No.2851 of 2015 to dispose of the suit as expeditiously as possible and preferably within a period of one year from today. No order as to costs. Needless to add that since the suit has to be expeditiously disposed of, the parties ought to co-operate. Either party may produce this order before the trial court by appearing before it on 26 August 2019 at 11.00 a.m.

(S.C. GUPTE, J.)