

Tikam

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
 CIVIL APPLICATION No. 4190 OF 2016
 IN
 FIRST APPEAL No. 612 OF 2015

Shri Shivaji Nivruti Kharade and Anr. ...Applicants

Vs.

Shri D.C. Gupta and Anr. ...Respondents

Mr. Ravi Shinde i/b. Mr. V.A. Shastry for Applicants

Ms. Poonam Mittal h/f. Mr. Nikhil Mehta i/b. KMC Legal Ventures for
Respondent No.2

CORAM : SHRI K.K. TATED, J.

DATE : MAY 02, 2019

P.C.:

1. Heard learned counsel for the parties.
2. Learned counsel for the applicants submits that the advocate on record is held up in another Court, hence, matter may be keep back.
3. It is to be noted that in the present proceedings, applicants are seeking early hearing of First Appeal No. 612 of 2015.
4. Office note shows that the First Appeal is not ready for hearing as Respondent No.1 is not duly served. Hence, there is no question of entertaining this civil application. Hence, following order:

ORDER

- (A) Civil application is rejected.
- (B) Liberty is granted to the Applicant to file a fresh civil application for same cause of action, as and when First Appeal gets ready for hearing.
- (C) Civil Application stands disposed of accordingly.

[K.K. TATED, J.]