

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

CIVIL REVISION APPLICATION NO.264 OF 2018

Niranjan Rajani and Ors.

.. Applicant

V/s.

Hiren Rajani and Ors.

.. Respondents

Mr.Pradeep Sancheti Sr.Counsel with Mr.Vishal Maheshwari for
the applicant

Mr.Nitin Gangal for the respondent no.1

CORAM: K.K. TATED, J
DATED : MARCH 6, 2019

P.C. :

1 Heard.

2 The learned Senior counsel for the Applicant submits that they already served Respondent nos.2 and 3 and filed affidavit of service to that effect. He submits that Respondent nos.2 to 6 are formal parties.

3 By this Civil Revision Application Applicant original opponent nos.1 and 4 challenges the order dated 22.02.2018 passed by Civil Judge, Senior Division, Vasai below Exhibit- 31 in Special Civil Suit No. 15 of 2013 holding that suit as it is filed by the other side, is within limitation.

4 The learned senior counsel for the Applicant submits that without going to the merits of the matter he received instruction from his client that let Special Civil Suit No. 15 of 2013 be decided on its own merits without influencing the earlier orders passed by court below. To that effect, advocate for the Respondent nos.1 a,b and c have no objection. Hence, by consent, following order is passed:

a Hearing of Special Civil Suit No. 15 of 2013 pending before Civil Judge, Senior Division, Vasai is expedited.

b. This court expects Trial Court to decide Special Civil Suit No. 15 of 2013 as early as possible but in any case on or before 30.09.2019 on its own merits without influencing the earlier orders passed by the court.

c. Civil Revision Application stands disposed of accordingly.

Parties to act on authenticated copy of this order.

(K.K. TATED, J.)