

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

APPEAL FROM ORDER NO.177 OF 2011

Radheshyam Sodhani and Ors.	... Appellants
Versus	
Arun Mulraj Merchant (deleted since deceased) and Ors.	... Respondents

.....

None for Appellants.

Mrs. M. More for Respondent/M.C.G.M.

Mr. Ruchir L. Tolat I/b. M/s. L.C. Tolat for Respondent Nos.1(a) to 1(c).

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CORAM : M. S. KARNIK, J.

DATE : 4th JUNE, 2019.

P. C.:

1. In the present Appeal From Order the order impugned is dated 05.04.2010 passed by the Judge, City Civil Court, Mumbai. The Judge, City Civil Court restrained the respondents from demolishing the said structure during the pendency of the Suit. It is further noted in the order that the respondents already filed written statement at Exhibit 2 and 3 and hence the matter was adjourned to 17.04.2010 for framing issues.

2. Today none appears on behalf of the appellants. Considering the passage of time present Appeal can be disposed of by directing the Trial Court to decide the Suit itself within a period of one year from today, if not already decided.

3. With these directions, Appeal From Order is dismissed.

(M. S. KARNIK, J.)