

DDR

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

WRIT PETITION NO. 9571 OF 2016

Snehalata Biru Yedge

..Petitioner

vs.

Lalji Natthu Prajapti & ors.

..Respondents

....

Shri Kamalesh Tiwari for petitioner.

None for respondents.

....

CORAM : M.S.KARNIK, J.

DATE : 3rd SEPTEMBER, 2019

P.C. :

Heard learned counsel for the petitioner.

2. The petitioner is obstructionist. Chamber Summons No. 1522 of 2013 filed by the decree holder directing the obstructionist to remove themselves from the suit property and hand over vacant and peaceful possession of the suit property was allowed by the trial Court. This order is dated 22nd March, 2016.

3. To challenge this order, learned counsel for obstructionist contended that there was some mistake in mentioning the number of the suit premises.

4. Be that as it may, learned counsel for the petitioner states that he has now filed the suit before Bombay City Civil Court for appropriate reliefs for setting aside the exparte decree. His limited grievance is that Notice of Motion No. 1151/2019 which he has filed in the S.C.Suit No. 2254 of 2008 has not been heard due to heavy Board. Learned counsel for the petitioner makes a limited request that he would withdraw this Petition and he would be satisfied if Notice of Motion No. 1151 of 2019 is heard expeditiously.

5. The City Civil Court is requested to expedite Notice of Motion No. 1151 of 2019.

6. The present Petition is allowed to be withdrawn and disposed of as such.

7. Status quo already in operation to continue for the period of 6 weeks from today.
8. All the contentions are kept open.

(M.S.KARNIK, J.)