

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1328 OF 2017

Vasanji L. Nagada
(since deceased through
L.Rs and anr.)

.. Petitioners

vs.

Smt. Geeta K. Chokshi

.. Respondent

Mr. Sanjiv Sawant for the Petitioners.
Mr. V.N. Biwalkar for the Respondent.

CORAM : M. S. SONAK, J.

DATE : 8 APRIL 2019.

P.C. :-

1] Heard learned counsel for the parties.

2] Mr. Sanjiv Sawant, learned counsel for the petitioners, on basis of instructions from the petitioners, seeks leave to withdraw this petition. He however, submits that the appeal is now posted for final hearing on 11th June 2019 and therefore, some directions may be issued to the Appeal Court to hear the appeal on the said date and to dispose of the same as expeditiously as possible. He further states that some directions may be issued to the learned Appeal Court to make deposit of compensation subject to the final result in the appeal Court.

3] The requests of Mr. Sanjiv Sawant is reasonable and the same is not even opposed by the learned counsel appearing for respondent.

4] Learned Appeal Court is directed to hear the appeal on 11th June 2019 which is even otherwise the date fixed for final final hearing in the appeal. Learned Appeal Court is also directed to dispose of the appeal as expeditiously as possible and in any case by 14th August 2019.

5] The amount which the petitioners (appellants) are now depositing before the Appeal Court will naturally be subject to the final orders in the appeal. In fact, if the appeal is decided against the petitioners, learned Appeal Court is directed not to allow the respondent to lift this amount or any part of this amount for a period of four weeks at least.

6] Accordingly, leave is granted to withdraw the petition. The petition is disposed of as withdrawn in the aforesaid terms. There shall be no order as to costs.

7] All concerned to act on the basis of an authenticated copy of this order.

(M. S. SONAK, J.)