

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

**CIVIL APPLICATION NO. 3189 OF 2019
IN
FIRST APPEAL NO. 126 OF 2001**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
---	----------------------------

Madhav Jamdar i/b Sushil Inamdar for the Applicant.

Nagesh Chavan for Respondent.

**CORAM: K.K.TATED, J.
DATED : OCTOBER 15, 2019**

PC.

1 Heard learned Counsel for the parties.

2 By this Civil Application, the Applicant is seeking direction against the Original Appellant to pay the monthly compensation of Rs. 23,000/- with effect from 13/11/2000 up to 31/08/2019 in respect of the suit property. By this Application, the Applicant is also seeking early hearing of First Appeal No. 126/2001.

3. The Learned Counsel for the Applicant submits that this Court by order dated 02/03/2006 in Civil Application No. 1959/2005 expedited the hearing of the First Appeal. He submits that now the First

Appeal is ready for hearing. He submits that paper book is already filed by the advocate for the Appellant as well as R&P is received. The statement is accepted. He further submits that he has received instructions from his client that, at present not to press the prayer clauses (a) and (b) of Civil Application with liberty to file a fresh application if necessary.

4. Considering the submission made by the Learned Counsel for the Applicant and the earlier order dated 02/03/206 in Civil Application no. 1959/2005 and as the First Appeal is ready for hearing, following order is passed:

a. Registry is directed to place the First Appeal No. 126/2001 for final hearing on weekly board commencing from 18/11/2019.

b. Liberty is granted to the Applicant to prefer the fresh application if necessary for relief in terms of prayer clauses (a) and (b).

c. Civil Application stands disposed of accordingly.

d. No order as to costs.

(K.K.TATED, J.)