

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

APPEAL FROM ORDER (ST.) NO.23397 OF 2019

Junaid Salim Chawdhary	...	Appellant
Versus		
Mr. Taufiq Ahmed Khan	...	Respondent

.....

Mr. Rohaasn Cama a/w Ms. Ayushi Anandpara i/b Mr. Naved Chawdhary for the Appellant.
Mr. Ramesh Kamble i/b Mr. Sufian Qureshi for the Respondent.

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CORAM : S.C. GUPTE, J.

DATE : 10 OCTOBER 2019

P. C. :

. This Appeal from Order challenges an ad-interim order passed by the City Civil Court at Greater Mumbai on a notice of motion taken out by the Appellant (original plaintiff). After the matter is heard at some length, it is agreed between the parties that the Appeal from Order may be disposed of by directing the trial court to hear the plaintiff's motion expeditiously. It is agreed that, in the meantime, the plaintiff's equipment would be allowed to be kept inside the suit premises as ordered earlier by the order dated 4 September 2019. It is made clear that this order is passed simply on concession by the parties and not after assessing merits of the appeal. The City Civil Court shall decide the notice of motion independently and without anyway being influenced by the fact that some protective reliefs were

granted in the present appeal from order as also uninfluenced by its ad-interim order, which is impugned in the present appeal from order. It is ordered accordingly and Appeal from Order is disposed of. The City Civil Court at Greater Mumbai is requested to dispose of the notice of motion as expeditiously as possible and preferably within six weeks from today.

2 It is made clear that any steps taken by any of the parties during the pendency of the notice of motion shall be subject to the outcome of the notice of motion and neither party shall claim any equity in that behalf.

(S.C. GUPTE, J.)