

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

**APPEAL FROM ORDER (ST.) NO.23706 OF 2019
WITH
CIVIL APPLICATION (ST.) NO.23707 OF 2019**

Laxman Narayan Solanki	...	Appellant
Versus		
Rayaben Narayan Solanki		
And Others	...	Respondents

.....

Mr. B.S. Shukla for the Appellant.
Mr. Yatin N. Shah for Respondent Nos.1, 2 and 3.

.....

CORAM : S.C. GUPTE, J.

DATE : 04 OCTOBER 2019

P. C. :

. This Appeal from Order challenges an ad-interim order passed by the City Civil Court at Dindoshi on a notice of motion of the Appellant (original plaintiff). By the impugned order, ad-interim relief was refused to the plaintiff.

2 After the matter is heard at some length, it is agreed between learned Counsel for the parties that the notice of motion itself may be expedited and in the meantime, ad-interim relief in terms of prayer clause -(a) of the notice of motion may be granted to the plaintiff.

3 Accordingly, the following order passed :-

: O R D E R :

i) The City Civil Court at Dindoshi is requested to dispose of Notice of Motion No.2478 of 2019 as expeditiously as possible and preferably within a period of four months from today ;

ii) pending the hearing and disposal of the notice of motion, there will be an ad-interim relief in terms of prayer clause -(a) in favour of the plaintiff ;

iii) it is, however, made clear that this relief is granted in favour of the plaintiff on the basis of concession made by the defendants and without this court having applied its mind to the merits of the case ;

iv) the trial court shall dispose of the notice of motion without in any way being influenced by the fact that ad-interim relief was refused to the plaintiff or that by this order ad-interim relief was granted in favour of the plaintiff ;

v) Appeal from Order is disposed of in the above terms.

(S.C. GUPTE, J.)