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

WRIT PETITION NO.10472 OF 2019

Orient Club Building And Association & Ors.

..Petitioners

Vs

Mrs. Nilofer Abijit Gupta & Ors.

..Respondents

Mr. Darshit Jain & Ms. Priya Divadkar i/b Manilal Kher Ambalal & Co for the Petitioners.

Mr. J.P. Sen, Senior Advocate, a/w Jai Chhabria, Mr. Shashwat Rai, Nupur Raut i/b Keystone Partners for Respondent No.1.

Ms. S. Sheth a/w Ms. R. Ghugharia i/b FZB & Associates for Respondent Nos.2 and 3.

CORAM : A.S.GADKARI, J.

DATE : 8th November 2019.

P.C.:

1] There is consensus amongst the learned counsel for the respective parties about the fact that, it is necessary and desirable to try and decide the RAD Suit No.18 of 2009 and RAE Suit No.1029/1664 of 2007 together. The facts on record supports the contention of the learned counsel for the respective parties.

2] In view thereof, Order dated 1st August 2019 below Exh.1 passed in R.A.D. Suit No.18 of 2009 is hereby set aside. The learned Judge, Court No.11, Court of Small Causes at Mumbai is hereby directed to try and decide both the suits together.

3] Writ Petition is allowed in the aforesaid terms.

(A.S.GADKARI, J.)