

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

FIRST APPEAL NO. 1424 OF 2019

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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J. S. Kini i/b Sapna Krishnappa for the Appellant.

Akash Warang with Harshavardhan Khambete for the Respondent.

**CORAM: K.K.TATED, J.
DATED : OCTOBER 1, 2019**

P.C.

1 Not on board. At the request of the advocate for the Appellant, matter is taken on production board for urgent orders.

2 Heard Learned Counsel for the parties.

3. By this First Appeal, the Appellant/Original Plaintiff is challenging the Judgment and decree dated 28/06/2019 passed by the Bombay City Civil Court, Bombay in Short Cause Suit No. 89/2015 dismissing the Plaintiff's Suit for specific performance in respect of Shashi Vihar Restaurant & Bar in the premises of Shop No. 9 & 10 admeasuring 750 Sq.ft. Situated at Colony Road, Chembur, Mumbai 400071.

4. Considering the submission made by the Learned Counsel for the Appellant and the impugned Judgment and decree, the following order is passed:

- a. **Admit.**
- b. Printing dispensed with.
- c. The appellant is directed to file private paper book with copy to other side within one year from today failing which the first appeal shall stand dismissed without further reference to the court.
- d. Call R & P
- e. The Learned Counsel Mr. Warang waives service for Respondent.

(K.K.TATED, J.)