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

**APPEAL FROM ORDER NO.123 OF 2015
WITH
CIVIL APPLICATION NO.158 OF 2015
IN
APPEAL FROM ORDER NO.123 OF 2015**

M/s Gujarat Realtors and ors ... Appellants.
V/s.

M/s Seven Eleven Constructions
Pvt. Ltd and ors ... Respondents

Mr. Ashutosh R. Gole, for the Appellants..
Mr. Sandesh Patil i/by Pratima Shelar, for respondent
No.1.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 15th JANUARY, 2019.

P.C. :

1] Learned counsel for both parties submit that as the Appeal is against the order dated 26.9.2016, in a suit which is filed in the year 2010, the appeal may be disposed off as dismissed, with direction to the Trial Court to decide the suit as expeditiously as possible preferably within a period of two years from the receipt of copy of this order, leaving the contention of both parties, open on merits,

2] Accordingly, the Appeal stands dismissed with direction to the trial Court to decide the suit as expeditiously as possible and

preferably within a period of two years from the date of receipt of copy of this order.

3] All contentions raised by both parties are expressly kept open to be decided on merits.

4] In view of dismissal of appeal itself, pending Civil Application therein no more survives and the same is disposed off accordingly.

[DR.SHALINI PHANSALKAR-JOSHI, J.]