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

WRIT PETITION NO.12744 OF 2019

Godrej & Boyce Mfg. Co. Ltd. ... Petitioner
Versus
Jitendra Nemchand Shah and Ors. ...Respondents

Mr. Mandar Soman, for the Petitioner.

CORAM : REVATI MOHITE DERE, J.

DATE : 16th DECEMBER, 2019

P.C. :

1. Heard learned counsel for the Petitioner.
2. By this petition, the petitioner has sought the following substantive prayer:-

“17. b) By issuing appropriate Writ this Hon’ble Court, be pleased to quash & set aside the order dated 24.09.2019 adjourning the hearing of Exhibit 5 in special Civil Suit no. 327 of 2015 and further direct the Ld. Trial Court, Civil Judge Senior Division, Bhivandi to forthwith proceed with of Exhibit 5 in special Civil Suit no. 327 of 2015.”

3. Learned Counsel for the petitioner states that the petitioner is the original plaintiff, who has filed special Civil Suit no. 327 of 2015, before the learned Civil Judge Senior Division, Bhivandi. He submits that although the petitioner had filed Exhibit – 5 application in the aforesaid Suit in the year 2015, the said Exhibit – 5 application has not been decided by the trial Court, till date. He, therefore, prays that hearing of Exhibit – 5 application and decision thereon be expedited.

4. Since, Exhibit – 5 application is pending for three years, the learned Civil Judge Senior Division, Bhivandi, to decide the said application being, Exhibit - 5, filed in special Civil Suit no. 327 of 2015, on its own merits in accordance with law, as expeditiously as possible and in any event before 30th January, 2020.

5. The Petition is accordingly disposed of. All contentions of all the parties are kept open.

6. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.