

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**APPEAL (LODG.) NO. 116 OF 2019
IN
NOTICE OF MOTION (LODG.) NO. 3226 OF 2018
IN
SUIT NO. 233 OF 2018**

The Bombay Diocesan Trust Association
Private Limited

.. Appellant

Vs.

Chankya Gyan Kendra & Ors.

.. Respondents

Mr.Aspi Chinoy, Senior Advocate I/b Mehul Shah & D.S. Bhatia for
appellant.

Ms.Upasana Vasu, I/b Wadia Ghandy & Co. for respondent No.1.

Mr.Anoshak Daver a/w. Mr.Nikhil Mishra, for respondent No.2.

**CORAM : R. M. BORDE &
N.J. JAMADAR, JJ.**

DATE : 9TH APRIL 2019

P.C.

1 At the ad-interim stage of the proceedings, the instant appeal need not be entertained. Both the learned counsels appearing for the parties state before us that the Notice of Motion is likely to be listed before the learned Single Judge on 24th April 2019 and they would make joint request to the learned Single Judge to take up the Notice of Motion for consideration on the aforesaid date.

2 The learned Single Judge may consider the joint request of both the parties and may take up the Notice of Motion No.3226 of 2018 for

consideration and may pass appropriate orders on the aforesaid date or preferably within a period of two weeks therefrom.

3 It is clarified that the Court has not considered the merits of contentions raised by either of the parties and it would be open for the learned Single Judge to decide the Notice of Motion on its own merit and in accordance with the provisions of law.

4 The appeal is accordingly stands disposed of.

[N.J. JAMADAR, J.]

[R. M. BORDE, J.]