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

WRIT PETITION NO. 10765 OF 2019

Dr. Narendra Ambalal Bhatt & anr.

.Petitioners

Vs.

Lalitkumar Mangalchandji Soni & ors.

.Respondents

Mr. Shripad Murthy i/b. Mr. Abhishek Patil, Advocate, for the
Petitioners

CORAM : REVATI MOHITE DERE, J.

DATE : 21.01.2020

P. C.

. At the outset, learned counsel for the Petitioners does not press for prayer clause (a) in this Petition and as such, prayer clause (a) is not considered.

2. As far as prayer clause (b) is concerned, learned counsel presses for the said prayer, which is the alternative prayer. The said prayer clause (b) reads thus :-

“(b) This Hon’ble Court be pleased to issue writ, certiorari and/ or any other writ, order or direction in the nature of certiorari and direct the Hon’ble Bombay City Civil Court, Dindoshi, Mumbai to dispose off the Execution Application No. 71 of 2013 including the Misc. Application Exhibit 24 of 2017 and all pending applications pending before the Court, in a time bound manner.”

3. It appears from a perusal of the roznama tendered by the learned counsel for the Petitioners, that the execution Application No. 71 of 2013 is pending since 2013. It appears that several Applications filed by both i. e. the Petitioners as well as the Respondents are pending. Even the Petitioners' Application for appointment of a Court Commissioner is pending since 2017. Having regard to the fact that the Execution Application is of the year 2013, without going into the merits, it would be appropriate to direct the learned Judge, City Civil Court, Dindoshi, Mumbai to dispose of the Execution Application No. 71 of 2013 including all Applications filed by both sides i. e. the Petitioners and the Respondents pending before the Court as expeditiously as possible and in any event, within two months from the date of receipt of this order.

4. Accordingly, the Petition is disposed of in the aforesaid terms. It is made clear that this Petition has not been heard on merits and all contentions of both the parties are kept open.

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

(REVATI MOHITE DERE, J.)