

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

WRIT PETITION NO. 2375 OF 2020

Kamal N. KhandhadiaPetitioner
v/s.
The State of Maharashtra Respondent

**WITH
WRIT PETITION NO. 125 OF 2021**

Mahendra MeghaniPetitioner
v/s.
The State of Maharashtra Respondent

Mr. Narayan Sahu i/b. Mr. S.K. Dubey for the Petitioner in both WPs.
Mr. S.D. Rayrikar for Respondent No.1.
Mr. Mandar Limaye i/b. Mr. Saurabh S. Oka for R.Nos.2 to 5.

**CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATED : 19th MARCH, 2021.**

P. C. :-

. The challenge in these Petitions is to the order dated 23/01/2020 wherein the learned Judge, City Civil Court, Greater Mumbai has held that there is no separate category of Commercial Summary Suit and hence, the suit is treated as Commercial Suit.

2. Mr. Mandar Limaye, learned counsel for Respondent Nos.2 to 5 has brought to my notice orders dated 27/02/2020 and 14/01/2021 in Civil Writ Petition No.12874/2019. A similar challenge was raised in the said Writ Petitions. By order dated 27/02/2020, Court had called

for the report from the Registry and subsequently, by order dated 14/01/2021, it was held that the issue needs to be addressed by the Administrative Side of the High Court and the Petition was disposed of as withdrawn with liberty to the Petitioner to take out appropriate detailed representation to be made to Registrar General of this Court.

3. Considering that the similar issue is raised in the present Petitions, leave is granted to the Petitioners to withdraw both the Petitions with liberty to make a detailed representation before the Registrar General of this Court. The Registrar General is requested to take into account the said representation and to look into the matter dealing with Commercial Court matters in Mumbai region. Considering that one of the Petitioner is 81 years old, the Registrar General to take the decision as expeditiously and in any event preferably within a period of three months and to communicate the same to the Petitioners.

4. With consent, proceedings before the Trial Court are stayed for a period of three months. Both Petitions stand disposed of in above terms.

Preeti H.
Jayani

Digitally signed by
Preeti H. Jayani
Date: 2021.03.22
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(SMT. ANUJA PRABHUDESSAI, J.)