

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 248 OF 2017

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|-------------|------------------------------------|---|---------------------------------------|
| 1. | Mrs. Meenal Shekhar Walhekar |] | |
| 2. | Mrs. Kamini Mayur Walhekar & |] | |
| 3. | Mrs. Rupali Vishal Walhekar |] | ... Appellants |
| | | | [Org. Deft. Nos.2 to 4] |
| V/s. | | | |
| 1. | Mrs. Deepali Pankaj Rane & |] | |
| 2. | Shri Suresh Dattu @ Dattatray More |] | ... Respondents |
| | | | [Org. Plaintiff &
Org. Deft. No.1] |

Mr. A.V. Anturkar, Senior Advocate i/b. Mr. Amol Gatne, Advocate for Appellants.

Mr. P.S. Dani, Senior Advocate i/b. Mr.C.R. Nagare for Respondent No.1.

CORAM : A.S. GADKARI, J.

DATE : 6th October 2021.

PC. :

1. Appellants have impugned Order dated 30th November, 2016 passed below Exh.5 in Special Civil Suit No. 693 of 2016, by the learned Civil Judge, Senior Division, Pune.

2. During the course of arguments, both the learned senior counsel appearing for the respective parties expressed their consensus that, it is necessary that, the suit itself may be decided at an early date to crystallize the rights of Appellants (Org. Defendant Nos.2 to 4) and Respondents (Org.

Plaintiff and Org. Defendant No.1). I find substance in their submission.

3. The Special Civil Suit No.693 of 2016 is pending on the file of the learned Civil Judge, Senior Division, Pune for last about five years for final adjudication.

In view thereof, the learned Civil Judge Senior Division, Pune seized of Special Civil Suit No.693 of 2016, is hereby requested to expedite the hearing of the said suit and to make an endeavour to dispose it of within a period of one year from the date of receipt of the present Order.

4. It is clarified that, in view of the consensus reached by the learned counsel for the respective parties, this Court has not dealt with the merits involved in the present Appeal and/or the impugned Order.

It is further clarified that, no party to the suit shall claim further extension of interim relief granted by the Trial Court in the eventuality of Appeal being filed by either of the parties after the final decision of the said suit and the Appellate Court will consider the Application for interim relief in the Appeal on its own merits.

5. Appeal is disposed off in the aforesaid terms.

6. Registrar (Judicial-I) is directed to communicate the present Order to the concerned.

[A.S. GADKARI, J.]