

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO.50 OF 2021
A/W
INTERIM APPLICATION NO.424 OF 2021
IN
APPEAL FROM ORDER NO.50 OF 2021

M/s. Ami and M.D. Developers and another.] **Appellants**

Vs.

Prasad Pandurang Lad and others.] **Respondents**

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Mr. Girish Godbole a/w Mr. Pandit Kasar a/w Ms. Bhavana Umredkar
i/b Mr. Manoj Bhatt, for Appellants/Applicants.

Mr. R.A. Thorat, Senior Advocate a/w Mr. Kishor Patil, for
Respondent No.1.

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CORAM : PRITHVIRAJ K. CHAVAN, J.

DATE : 30th MARCH, 2021.

P.C.

1. Heard Mr. Godbole, learned Counsel for the appellants and
Mr. Thorat, learned Senior Counsel for Respondent No.1-original
plaintiff.

2. It has been brought to my notice that the findings returned
by the learned Judge, City Civil Court in the impugned order are

only in respect of relief of temporary injunction and not as to why the learned Judge felt it necessary to appoint the Court Receiver of this Court as an agent of respondent No.1-original plaintiff.

3. In that view of the matter, the appeal can be disposed of in the following terms;

- (a) Clauses No.1 and 2 of the operative part of the order passed in Notice of Motion No.2159 of 2012 in Short Cause Suit No.2010 of 2012 on 13th March, 2020 are affirmed;
- (b) Clauses No.3 and 4 of the operative part of the order are set aside;
- (c) The parties shall appear before the City Civil Court on 5th April, 2021 at 11.00 a.m.
- (e) The parties shall not seek unnecessary adjournments;
- (f) The learned Judge shall, as far as possible, make an endeavour to decide and dispose of the suit by the end of the year 2021.

4. The appeal stands disposed of.

5. In view of disposal of the appeal, pending applications shall stand disposed of.

[PRITHVIRAJ K. CHAVAN, J.]