

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.6647 OF 2021

Vijay Vithoba Sanap

..

Petitioner

Vs.

Eknath Realtors & Ors.

..

Respondents

...

Mr. Rohit D. Joshi for the petitioner.

...

CORAM : SMT. BHARATI DANGRE, J.

DATED : 11TH OCTOBER, 2021.

P.C:-

1. The limited relief, which is sought in the writ petition is that the applications filed by the applicant vide Ex-5 and Ex-51 in Special Civil Suit No.89 of 2020 be directed to be decided in a time bound manner.

2. The prayer is sought in the backdrop of the fact that the plaintiff has instituted Special Civil Suit No.89 of 2020 seeking a declaration that the Development Agreement and the Supplementary Agreement dated 24/10/2013 and 30/11/2015 be declared as cancelled and a further declaration is sought to the

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effect that there is no right of development. Damages to the tune of Rs.3,60,000/- is also sought. Temporary injunction is also sought in the form of relief in prayer clause (c) that defendant No.1 and his representative shall be restrained from carrying out further development. The photographs placed on record at Ex-37 and Ex-38 reflect that the construction is in progress.

3. In such circumstances, it is expected that the Civil Judge, Senior Division, Alibaug shall proceed to expeditiously dispose of the said application as it is necessary to protect the subject property.

4. With the aforesaid observations being brought to the notice of the Civil Judge, Senior Division, Alibaug, the writ petition stands disposed of.

[SMT. BHARATI DANGRE, J.]