

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

APPEAL AGAINST ORDER NO.42 OF 2015

(M/S. ARMOR'S DEVELOPERS PVT. LTD.....VS.. M/S. ARSHAD DEVELOPERS PVT. LTD. & OTH.)

AND

APPEAL AGAINST ORDER NO.43 OF 2015

(M/S. ARMOR'S DEVELOPERS PVT. LTD.....VS.. M/S. ARSHAD DEVELOPERS PVT. LTD. & OTH.)

.....
Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders
.....

Court's or Judge's orders

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Shri Anjan De, Advocate for Appellant.
Shri Anand Deshpande, Advocate for Respondents.

CORAM : ANIL S. KILOR, J.
DATED : DECEMBER 02, 2021.

1. Both the appeals have arisen out of the common order dated 25/02/2015 below Exh.40 and 52, in Special Civil Suit No.1214 of 2010 rejecting applications Exh.52 & 40 under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure for a prayer to restrain the defendants from creating third party interest with respect to the suit property.

2. On 20th April 2015 notices were issued in these matters and parties were directed to maintain the *status quo* which is in operation even today. It is clear that the interim order by way of *status quo* is in operation for last six years.

3. Today, both the parties have agreed that the suit may be expedited with continuation of *status quo* order.

4. It is also informed that settlement talks are going on between the parties and there is possibility of settlement.

5. I find that the proposal is fair and even if the matter is settled between the parties, the parties are at liberty to make such statement before the trial Court and get the suit disposed of in view of the settlement if any arrived at between the parties.

6. Accordingly, the Appeals against Order are disposed of without observing anything on merit with a request to the trial Court to expedite the trial and decide the same as early as possible and in any case, before 31st January 2023, if the matter is not settled amicably.

7. Till then, *status quo*, granted by this Court on 20th April 2015, will remain in force.

Both the Appeals against Order stand **disposed of** accordingly. No order as to costs.

JUDGE

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