

Vinita

IN THE HIGH COURT OF BOMBAY AT GOA.

APPEAL FROM ORDER NO.4 OF 2022

WEST VALLEY RESORT REP. BY
PARTNERS AND 2 ORS Appellants.
VS
WHITE CASTLES REALITY LLP. REP.
BY ITS PARTNERS AND 2 ORS ... Respondents.

Mr. V. Amonkar, Advocate for the appellants.

Mr. Nigel Costa Frias and Mr. G. Malik, Advocates for the respondents.

CORAM: C. V. BHADANG, J.
DATE: 27 April 2022.

P.C.:

1. On 26.4.2022, the appellants had sought time to examine the maintainability of the appeal based on sub-section (3) of Section 6 of the Specific Relief Act, 1963.

2. Today, Mr. Amonkar, learned Counsel for the appellants on instructions states that the suit may be expedited as otherwise it is a suit filed under Section 6 of the Act and there is a statutory mandate contained in Section 20-C of the Act to decide the same within a

period of 12 months from the date of service of summons to the defendant. The suit is filed in October 2021.

3. In so far as interim relief is concerned, the learned Counsel for the parties submit that any transactions undertaken during the pendency of the Civil Suit can be made subject to the outcome of the suit.

4. In that view of the matter, the appeal is disposed of as not maintainable. The suit is expedited. The trial Court shall make an endeavour to dispose of the suit as expeditiously as possible and within the period as provided under Section 20-C of the Act. Any transaction/s relating to the subject matter of the property during the pendency of the suit shall be subject to the outcome of the said suit.

5. In such circumstances, there shall be no order as to costs.

C. V. BHADANG, J.

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