

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 15 OF 2022****WITH****INTERIM APPLICATION NO. 211 OF 2022**

Virendra Vishnubhai Kahar

... Petitioner

Versus

Union Territory of Dadra and Nagar Haveli and
Daman and Diu through the Collector and others

... Respondents

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Mr. Viraj Parikh alongwith Ms. Khyati Kanani and Mr. Amit Kanani instructed by
Kanani & Co. Advocates for the Petitioner.

Mr. H.S. Venegaonkar for Respondent No.1.

Dr. B.B. Saraf, Senior Advocate alongwith Mr. Kalpesh Joshi, Mr. Mitesh Jain and
Ms. Vaibhavi Parchake instructed by Kalpesh Joshi Associates for Respondent No.2.

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CORAM : S.J. KATHAWALLA AND**MILIND N. JADHAV, JJ.****DATED : FEBRUARY 15, 2022.****P.C. :-**

1. Heard the Learned Advocates appearing for the parties and the following
order is passed, by consent :

(i) The Interim Application which is dismissed by the Learned Civil Judge
(Senior Division) of Dadra & Nagar Haveli at Silvassa in Special Civil Suit No. 27 of
2014 is restored to file.

(ii) The Petitioner shall join Respondent No.2 as party Defendant to the said
Suit and the Interim Application.

- (iii) Pending the hearing and final disposal of the Suit, liberty is granted to the Petitioner to move the Interim Application and seek reliefs against the Defendants therein.
- (iv) Upon such application being made, the Learned Judge will hear the parties and pass orders strictly on merits.
- (v) All contentions of the parties are kept open.
- (vi) The hearing of the suit is expedited.
- (vii) Order passed earlier to maintain status quo stands vacated.
- (viii) Parties shall appear before the Learned Civil Judge on 17th February, 2022 at 11.00 a.m. and obtain necessary directions.
- (ix) All proceedings filed taken out in the Suit shall be decided by the Learned Civil Judge without being influenced by this order.
- (x) The above Writ Petition as well as Interim Applications disposed off.

(MILIND N. JADHAV, J.)

(S.J. KATHAWALLA, J.)