

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO.66 OF 2022
WITH
INTERIM APPLICATION NO. 271 OF 2022
IN
APPEAL FROM ORDER NO.66 OF 2022

Mittal Park Co-operative Housing Society Limited, Thr. Its Chairman
Mr. Anil Kumar Sehgal .. Appellant/Applicant

Versus

M/s. Juhu Construction Co. Partnership firm and Others. .. Respondents

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Dr. Abhinav Chandrachud a/w. Mr. Datta Mane and Mr. Akash Yadav for the Appellant.

Mr. Vineet Naik a/w. Mr. Ketan Parekh and Mr. Punit Arora i/b. M/s. K. R. Parekh & Co. for Respondent no.1.
Mr. Santosh P for Respondent nos. 2 to 4 - MCGM.

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CORAM: BHARATI DANGRE, J.
DATED : 31st MARCH, 2022

P.C:-

1. The present appeal deserve a disposal, on the statement being made on instructions by the learned counsel for the respondent that the order passed by the City Civil Court in L.C Suit No. 1324 of 2015 dated 8th May, 2015 shall be continued during the pendency of the suit,

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provided a direction is issued to the City Civil Court at Mumbai to dispose L.C Suit No. 1324 of 2015 within the time bound period.

The exact order is reproduced below:

“Adv. For deft.No. 1 is seeking adjournment and adv. for pltf. submitted that limited protection not to create third party interest in the suit property be granted so that suit would not become infructuous.

Considering submissions, deft.No. 1 not to create third party interest in suit property till next date. The parties should positively argue the N.M. on said date without seeking adjournment or continuation of order.

Leave granted to register N.M.,.

Adj. For N.M. hrg. To 24.06.2015.

2. Accepting this statement by keeping the rival contentions of the parties open, the Judge, City Civil Court, is directed to dispose of the proceeding within a period of eight months from today.

Needless to state that both the parties shall extend their co-operation to the learned Judge in disposing of the Suit.

(SMT. BHARATI DANGRE, J.)