

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**
APPEAL FROM ORDER NO. 357 of 2022

Chhedilal Ramnath Sharma .. Appellant
Versus
The Municipal Corporation of Greater .. Respondents
Mumbai and ors

...

Mr. Jitendrakumar G. Damani for the appellant.
Mr. Om Suryavanshi for the respondent MCGM.
Mr. Anoop V. Patil with Shashank Shubham for respondent no.2
SRA

CORAM: BHARATI DANGRE, J.

DATED : 27th APRIL, 2022

P.C:-

1 The present Appeal is filed by the appellant, who is the plaintiff being aggrieved by order dated 11/1/2022 passed by the City Civil Court, Borivali Division, Dindoshi, on Notice of Motion No.4251/2018.

Pertinent to note that by the said Notice of Motion, relief came is sought to expedite the proceedings of the Suit by concluding it within six months or to appoint a Court Receiver

is sought. The plaintiff has also prayed to be put in possession of the said flat.

2 An earlier attempt on part of the plaintiff by filing Notice of Motion No.638/2018 resulted into an order being passed on 28/2/2018 while Notice of Motion was partly allowed and the defendants were restrained from doing any act which will jeopardise the right of the plaintiff, in respect of the suit premises. In any case, since Suit itself is pending from 2016, and the prayer in the Notice of Motion in the alternative is expeditious disposal of the Suit, interest of justice would be better served to the parties if the City Civil Court is directed to expedite the proceedings in the said Suit and conclude the same within a period of six months from today.

Needless to state that the parties shall render necessary co-operation to the learned Judge.

(SMT. BHARATI DANGRE, J.)