

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3731 OF 2022

Vijaya Ratnakar Kamath & Ors. ... **Petitioners**
Versus
Kiran Ratnakar Kamath & Anr. ... **Respondents**

Dr. Suneet Gupta, Advocate for the Petitioners.

Mr. Sameer Tendulkar, Advocate for the Respondent No.1.

**CORAM: S.V. GANGAPURWALA &
MADHAV J. JAMDAR, JJ.**

DATED : JUNE 8, 2022

P.C.

1. The learned Counsel for the petitioners does not want to press the prayer clause (a) in the present writ petition. The learned Counsel submits that the petitioners would restrict their prayer to the effect that Notice of Motion No.1386 of 2018 and 2547 of 2021 filed by the petitioners in Suit No.680 of 2018 pending before the City Civil Court be decided expeditiously.

2. We have heard the learned Counsel for the respondent No.1.

3. It is submitted that the petitioner No.1 is aged about 90 years and the other petitioners are also senior citizens.

4. In light of that, learned Judge of the City Civil Court shall hear Notice of Motion No.1386 of 2018 and 2547 of 2021 filed by the petitioners in Suit No.680 of 2018 which

are pending and shall endeavour to decide the same on its own merits in accordance with law and of course by adhering to the principle of natural justice expeditiously.

5. With regard to prayer Clause (a), it is for the petitioners to file appropriate proceedings as may be permissible under law.

(MADHAV J. JAMDAR, J.)

(S.V. GANGAPURWALA, J.)

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