

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO.259 OF 2022
WITH
INTERIM APPLICATION NO. 1788 OF 2022
IN
APPEAL FROM ORDER NO. 259 OF 2022

Dinesh Ramswaroop Sharma and anr .. Appellants

Versus

Kamal Ramswaroop Sharma and ors .. Respondents

...

Mr.M.S.Bhandari i/b Pranjali Bhandari for the appellants.
Mr. Haresh Lulia for the respondent no.1.

CORAM: BHARATI DANGRE, J.

DATED : 20th APRIL, 2022

P.C:-

1 The present AO, in my considered opinion, can be disposed off with a direction being issued to the City Civil Court, at Dindoshi to conclude the proceedings in the Suit, which is pending since the year 2016.

Pertinent to note that the plaintiff filed a suit for partition and injunction, in which he took out a Notice of Motion No.2259/2016 and the defendant is aggrieved by the order passed by the learned Judge on 7/12/2020 on said Notice of

Motion which is made absolute in terms of prayer clause (b). The said order being passed on 7/12/2020, is in operation till date.

2 The Suit is pending since 2016 and therefore, it deserve an early disposal.

In the wake of the aforesaid, the Appeal is disposed off with a direction being issued to the City Civil Court to culminate the proceedings in the S.C. Suit No.1913/2016 on or before 30/12/2022.

Needless to state that both the parties shall render their co-operation with the learned Judge to conclude the proceedings in the said Suit.

3 It is clarified that I have not gone into the merits of the matter and all the respective contention stands to be adopted, are left open to the parties.

4 In view of the disposal of AO, Interim Application do not survive and is disposed off.

(SMT. BHARATI DANGRE, J.)