

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

***APPEAL FROM ORDER NO.635 OF 2019
WITH
CIVIL APPLICATION NO.719 OF 2019***

Safique Ahmed Toufeeq Choudhary ...Appellant
Vs
Abdul Gani Nizamuddin Shaikh and Ors. ...Respondents
...

Mr. Pradeep J. Thorat with J.S.Yadav i/by B.S.Shukla for the Appellant.

CORAM : SANDEEP K. SHINDE J.
DATE : FEBRUARY 21, 2022.

P.C. :

Pending Long Cause Suit No.1656 of 2017, instituted by the appellant/plaintiff, under Section 6 of the Specific Relief Act, 1963, learned trial Court restrained the defendants from creating third party right in the suit property, but refused to appoint 'receiver'. That order is under challenge.

2 Mr. Thorat, learned counsel for the appellant, on instructions, submits that, trial in the suit, has progressed, and next

stage is 'Cross' of defendants' witness. In this view of the matter, Mr. Thorat, learned counsel, does not press the Appeal and submits let the suit, be disposed of within reasonable time. Submissions are appropriate. Thus, in consideration of the facts of the case, the learned trial Judge is requested to conclude the trial in Long Cause Suit No.1656 of 2017 preferably before 30th June, 2022.

3 It is made clear that this Court has not heard the appeal on merits and disposed it, in the aforesaid terms.

4 As the appeal itself has been disposed of, nothing survives in the Civil Application therein and same is also disposed of.

(SANDEEP K. SHINDE, J.)