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

**INTERIM APPLICATION NO. 3260 OF 2022
IN
APPEAL FROM ORDER NO. 346 OF 2022
IN
NOTICE OF MOTION NO. 1017 OF 2021
IN
SUIT NO.784 OF 2021**

M/s. Tapodhan Griha Sahakari Society Ltd.
Through Administrator Mr. Aroskar and Anr. .. Applicants

Versus

M/s. Matra Realty and Developers Ltd. and Ors. .. Respondents

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- Mr. Sushil S. Upadhyay i/by Mr. Ashok M. Saraogi, Advocate for the Applicants
 - Mr. Anil Mishra, Advocate for the Respondents
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CORAM : MILIND N. JADHAV, J.

**DATE : MAY 20, 2022.
(Vacation Court)**

P.C.:

- 1.** Heard learned counsel appearing for the respective parties.
- 2.** The present Interim Application has been filed for the following reliefs:

"a) that this Hon'ble Court be pleased to stay the operation of the order dated 17th March, 2022 by way of relaxing the order dated 12th April, 2022 based upon the subsequent events passed in Appeal from Order No.346 of 2022 and direct the Trial Court to dispose the Notice of Motion within a stipulated period on such terms as this Hon'ble Court may be deem fit and proper."

- 3.** The Applicants have prayed for stay of execution of the order dated 17.03.2022.

4. By order dated 12.04.2022, this Court had directed the learned Trial court to hear the Notice of Motion No.1017 of 2021 in Suit No.784 of 2021. It was also directed by the Court that till the next date of hearing, the ad-interim relief shall continue to remain in operation.

5. In the present application, grievance is made by the Applicants that the learned Trial court after hearing the parties and conclusion of the arguments in the Notice of Motion, kept the same for passing of orders, however the learned Trial court Judge thereafter proceeded on leave and has now been transfer to some other place. The Applicants have therefore urged that hearing of Notice of Motion No.1017 of 2021 be once again expedited by this Court within a stipulated time period as deemed fit and proper.

6. In view of the above, it will be apposite to direct the learned Trial court to make an endeavor to decide the pending Notice of Motion No.1017 of 2021 within a period of six weeks from today and pass a speaking order.

7. All contentions of the parties are kept open.

8. Interim Application stands disposed of.

[MILIND N. JADHAV, J.]