

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4507 OF 2021

Mrs. Sujata Ashok Pokharkar

..Petitioner

Versus

M/s. Omm Reality and Ors.

..Respondents

Mr. A. Y. Sakhare, Senior Advocate i/by Sampatrao Pawar, for the
Petitioner.

Mr. R. S. Khandeparkar a/w Rajdeep Gude i/by Khandeparkar &
Associates, for the Respondents.

CORAM : NITIN W. SAMBRE, J.

DATE : 19th APRIL, 2022

PC.

1. A joint request is made by the counsel for the petitioner
and respondents for expeditious disposal of the suit being SCS
No.1362 of 2016 pending on the file of Civil Judge, Senior Division,
Pune.

2. Since the suit is pending for almost about five years, in
view of the litigation policy, hearing of the suit is expedited.

3. As far as the grant of relief in the petition is concerned,
counsel for the respondents i.e. original defendants informs that
since the suit property is located in 'No Development Zone'. At
present, respondents have no intention to create third party interest

or develop the suit property. It is further informed on instructions by the counsel for the respondents that, in case, if they intend to create third party interest or to develop the suit property, same shall be only after advance written intimation to the petitioner, so also the Court below before whom the proceedings are pending.

4. Since the above statement is made on instructions, same is accepted as an undertaking to this Court. I am informed that respondent No.2/defendant No.2 herein is personally present in the Court.

5. In view of aforesaid statement, the petition stands disposed of.

[NITIN W. SAMBRE, J.]