

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

***APPEAL FROM ORDER NO.232 OF 2021
WITH
INTERIM APPLICATION NO.3863 OF 2021
WITH
INTERIM APPLICATION NO.2199 OF 2021***

Tarunkumar B. Parmar and Anr. ...Appellants
Vs
Roshanlal R. Kothari and Ors. ... Respondents
...

Mr. Shailesh Kumar Rail with Mr. Amogh Singh for the
Appellants/Applicants.
Mr. Rajesh Kanojia for Respondent No.1.

CORAM : SANDEEP K. SHINDE J.
DATE : JANUARY 13, 2022.

P.C. :

Heard learned counsel for the parties for sometime.

2 Pending suit, in an application moved by the plaintiff,
the trial Court vide order dated 2nd July, 2021 directed the parties to
maintain status-quo in respect of the suit shop.

3 Feeling aggrieved by the order directing the parties to maintain status-quo, the original defendant nos.2 and 3 have preferred this appeal.

4 The learned counsel for the appellants on instructions submits that soon after the order of status-quo, was passed, plaintiff took over the possession of the suit shop, highhandedly.

5 Be that as it may, the order directing the parties to maintain status-quo in respect of Suit Shop is in force, for at-least six months..

6 As such, parties to the suit have not been heard on merits. Now the hearing on interim relief is scheduled on 8th February, 2022. In consideration of the facts afore-stated, parties shall appear before the trial Court on the scheduled date.

7 The learned trial Judge shall make an endeavour to dispose of the pending Notice of Motion as expeditiously as possible and preferably within six months from today. Till then, order dated 2nd July, 2021, shall continue to operate.

8 Appeal is disposed of in the aforesaid terms.

9 As the appeal itself is disposed of, nothing survives in the interim applications therein and same are disposed of.

(SANDEEP K. SHINDE, J.)