

Sharayu Khot.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 18394 OF 2022

IN

FIRST APPEAL NO. 1759 OF 2007

WITH

FIRST APPEAL NO. 1759 OF 2007

Mr. Neelanjan S. Chakraborty & Ors. ...Applicants

In the matter between

M/s. Patil & Sons & Ors. ...Appellants

Versus

Mr. Ranjan Bhagwantrao Patil (Bahirat) & Ors. ...Respondents

WITH

FIRST APPEAL NO. 1760 OF 2007

M/s. Patil & Sons & Ors. ...Appellants

Versus

Shri. Bhagwantrao Bhausahab Patil (Bahirat)
& Ors. ...Respondents

WITH

CIVIL APPLICATION NO. 364 OF 2011

IN

FIRST APPEAL NO. 1759 OF 2007

WITH

FIRST APPEAL NO. 1764 OF 2007

R. Bhattacharya for the Applicants.

Mr. Pratik Irpatgire i/by Parinam Law Associates for the Appellant in FA/1759/07.

Mr. Sandeep S. Salunkhe for Respondent No. 1 in all Appeals.

Mr. Abhinav A. Bhatkar i/by Vijay Killedar for the Respondent Nos. 6A and 6B in all Appeals.

CORAM : R.I. CHAGLA J

DATE : 22 November 2022

ORDER :

1. By this Interim Application, the Applicants have sought vacation of the interim relief granted on 18th December 2007 in Civil Application No. 6626 of 2007 in First Appeal No. 1759 of 2007.

2. Further relief is sought for expeditious hearing of First Appeal No. 1759 of 2007 in terms of the orders of the Supreme Court dated 14th December 2009 and 6th February 2017. There are other reliefs sought for in the Interim Application which currently cannot be gone into and which the Applicant may urge at the final hearing of the First Appeal.

3. Parties to the First Appeal shall file common compilation

of documents which they rely upon.

4. Considering the order of the Supreme Court dated 6th February 2017, whereby the Supreme Court has considered the prejudice caused to the Applicants who are the flat purchasers in the subject project, an expeditious hearing has been granted.

5. The First Appeals shall be placed for hearing on 8th December 2022, First on Board.

6. Parties shall take note of this order and no further adjournment shall be granted. It is noted that the paper book has already been filed in the First Appeal. The compilation of documents shall be filed in advance.

7. In view of this order, Interim Application No. 18394 of 2022 is disposed of.

8. This is without prejudice to the rights and contentions of the parties in the Interim Application.

9. Stand over to 8th December 2022.

[R.I. CHAGLA J.]