

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

**APPEAL FROM ORDER NO. 1184 OF 2015
WITH
CIVIL APPLICATION NO. 1497 OF 2015
IN
APPEAL FROM ORDER NO. 1184 OF 2015
WITH
APPEAL FROM ORDER NO. 1185 OF 2015
WITH
CIVIL APPLICATION NO. 1498 OF 2015
IN
APPEAL FROM ORDER NO. 1185 OF 2015**

Mr. Damodhar Padmanabhan ..Appellant

v/s.

Mr. Mohd. Sajeed Ibrahim Sayed & Ors. ..Respondents

Mr. Dharam Juman, Mr. Mihir Nerulkar, Mr. Rickin Dang i/b. Ganesh &
Co. for the Appellant.
Mr. Ashish Dubey for the Respondent.

**CORAM : ANUJA PRABHUDESSAI, J.
DATED : 10th JUNE, 2022.**

P.C.

1. The Appellant had challenged the judgment and order dated 06.08.2015, whereby the learned Judge, City Civil Court, Dindoshi, Mumbai, had dismissed the Notice of Motion No. 234 of 2013 in S.C.Suit No. 256 of 2013, and Notice of Motion No. 237 of 2013 in S.C.Suit No. 255 of 2013.
2. On 7.12.2015, this Court had recorded statement of Respondent No.1 that he will not create third party interest in the suit flat. The said

statement was continued from time to time and continue till date. Learned Counsel for the Appellant and the Respondent No.1 state that issues have been framed in both the suits and that the matter is pending for recording of evidence. Learned Counsel for the Respondent No.1, under instructions states that the respondent No.1 shall not create third party interest in the suit flats till the disposal of the suit. Said statement is accepted as undertaking to the Court.

3. In the light of the said statement, the appeals are disposed of.
4. Civil Applications stand disposed of in view of disposal of the appeals.
5. The learned Judge, City Civil Court, shall dispose of the Suits as expeditiously as possible.

(ANUJA PRABHUDESSAI, J.)

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