

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

***APPEAL FROM ORDER NO.1137 OF 2015
WITH
CIVIL APPLICATION NO.370 OF 2018***

Deendayal R. Sarda ...Appellant
Vs
Rupnarayan R. Sarda ...Respondent

...

Ms. Kavita A. Shah for the Appellant.
Ms. B. Anita for Respondent.

CORAM : SANDEEP K. SHINDE J.
DATE : MARCH 25, 2022.

P.C. :

Heard.

2 This appeal challenges the order dated 1st August, 2015 by which the learned Judge, City Civil Court, Greater Mumbai restrained the defendant by temporary injunction from selling or in any manner dealing with or disposing off or parting with possession of the suit premises i.e. Room No.11, Purushottam Niwas (Ravi Villa), situated at 31, Dadiseth Agiary Lane, Mumbai. Pending appeal, the trial in the Suit No.2763 of 2012 has commenced. Parties

to the suit are in the process of leading the evidence. The impugned order is in force since August, 2015. In that view of the matter, it would be appropriate if the trial Court is requested to expedite the trial in the Suit No.2763 of 2012 and decide the same on its own merits without being influenced by the impugned order dated 1st August, 2015. The trial Court shall make an endeavour to dispose of the suit preferable before 30th April, 2023.

3 Appeal is disposed of in the aforesaid terms.

4 As the appeal itself is disposed of, nothing survives in the civil application therein and same is disposed of.

(SANDEEP K. SHINDE, J.)