

R.M. AMBERKAR
(Private Secretary)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8833 OF 2021

Freddy K. Bhadha

.. Petitioner

Versus

M/s. Allied Computers International Asia Ltd &
Anr.

.. Respondents

-
- Mr. Vishwajeet S. Kapse for Petitioner
 - None for Respondent No. 1
 - Mr. Omkar Khaiyam Shaikh for Respondent No. 2
-

CORAM : MILIND N. JADHAV, J.

DATE : DECEMBER 23, 2022

P.C.:

1. Heard Mr. Kapse, learned Advocate for Petitioner and Mr. Shaikh, learned Advocate for Respondent No. 2. None appears for Respondent No. 1.

2. Learned Advocates appearing for the parties have tendered Minutes of Order dated 23.12.2022. Copy of the same is taken on record and marked "X" for identification. The Minutes of Orders have been signed by learned Advocate for Petitioner as well as Respondent No. 2. They have urged the Court to pass the order in terms of Minutes of Order. Hence, the following order is passed:-

- (1) By consent of the parties, the impugned order dated 12.11.2021 as passed by the learned City Civil Court at Mumbai in Chamber Summons No. 472 of 2021 in

Execution Application No. 980 of 2013 is hereby quashed and set aside.

- (2) Chamber Summons No. 472 of 2021 in Execution Application No. 980 of 2013 before the learned City Civil Court at Mumbai is revived.
- (3) The Petitioner shall file additional affidavit along with additional documents, in Execution Application No. 980 of 2013 on or before 31.01.2023.
- (4) Respondent No. 2 shall file affidavit-in-reply on or before 25.02.2023.
- (5) The learned City Civil Court at Mumbai shall make an endeavour to pass appropriate order in accordance with law preferably on or before 30.04.2023.
- (6) In the meantime, the order passed by this Court on 14.12.2021 shall continue till disposal of the above Chamber Summons.
- (7) All the contentions of the parties on merits are expressly kept open.

3. In view of the above, Writ Petition is disposed. No order as to cost.

[MILIND N. JADHAV, J.]

Digitally signed
by RAVINDRA
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AMBERKAR
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