

Amrut

**IN THE HIGH COURT OF BOMBAY AT GOA**

**WRIT PETITION NO.593 OF 2014**

ADITYA CIVIL CONTRACTORS  
REP. BY ITS PARTNERS  
AND 2 ORS.

... Petitioners

***Versus***

MEHRAJ CENTRE MNF HEIGHTS  
CO-OPERATIVE HOUSING  
SOCIETY LTD., REP. BY ITS  
SECRETARY ADV. C. COUTINHO

... Respondent

Mr. Shivan Desai, Advocate for the Petitioners.

**CORAM: M. S. SONAK, J.**

**DATED : 3<sup>rd</sup> FEBRUARY 2023**

**P.C.:**

1. Heard Mr. Shivan Desai, learned counsel for the Petitioners.
2. The challenge in this petition is to the order dated 17.06.2014 made by the Appeal Court injuncting the Petitioners from constructing on the 6th floor of the suit building pending disposal of the suit.

3. Though this petition was admitted, there was no interim relief granted. As a result, no construction could be put up by the Petitioners on the 6th floor. This position obtains from 2014.

4. Accordingly, the interest of justice would be met if this petition is disposed of by directing the trial Court to dispose of Regular Civil Suit No.48/2014/I as expeditiously as possible and in any case within one year from the date of filing of the authenticated copy of this order.

5. Further, it is clarified that the trial Court should not be influenced by any observations made in the interim order or this order while disposing of the suit. The suit will have to be disposed of on its own merits and in accord with law based on the evidence that the parties lead.

6. The Petitioners to produce an authenticated copy of this order before the trial Court on the next date fixed for hearing before the trial Court.

7. The petition is disposed of in the above terms without any order for costs.

**M. S. SONAK, J.**

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