

Nikita

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

WRIT PETITION NO.952 OF 2020

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Date: 2023.10.04
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Pushpa K. Varma and Ors. ... Petitioners

V/s.

M/s. Arcon Developers, and Ors. ... Respondents

Ms. Anjali Neel Helekar, a/w Ms. Anu Kaladharan for
the Petitioner.

Mr. Nainesh N. Amin for Respondent No.1.

Mr. Hemant P. Ghadigaonkar, for Respondent Nos.3 to
5.

Mr. R.Y. Sirsikar, for Respondent No.10(BMC).

CORAM : AMIT BORKAR, J.

DATED : OCTOBER 3, 2023

P.C.:

1. By consent of the parties, following order is passed:
2. Order dated 10th December 2019 passed by Judge City Civil and Sessions Court, Mumbai, in Chamber Summons No.1795 of 2019 in Suit No.9349 of 1993, is quashed and set aside.
3. Chamber Summons No.1795 of 2019 is restored to the file of the Trial Court.
4. The Trial Court shall re-hear the chamber summons after giving opportunity to both sides to produce document on record.

5. After considering the documents, the Trial Court shall hear the Chamber Summons No.1795 of 2019 afresh on its own merits.
6. Considering the facts of the case, the City Civil Court shall decide the suit within three months from today.
7. The writ petition stands disposed of.

(AMIT BORKAR, J.)