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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 2696 OF 2022
IN
SECOND APPEAL NO. 169 OF 2005

Commissioner, Pimpri Chinchwad Municipal Corporation,
Pimpri, Pune ...Applicant

Versus

Pir Hazrar Jalauddin Shah Kadri
Rahat Alai Trust (Gaibi Peer)
Dargah (Sanstha), Pune by
Shri. Mohammed Shafi Ibrahim Pathan & Ors. ...Respondents

Mr. G. H. Keluskar, for the Applicant.

Mr. Shirish V. Pitre, for the Respondent Nos. 1 to 5.

CORAM : MADHAV J. JAMDAR, J.
DATED : 5th JULY 2023

P.C. :

1. Heard Mr. Keluskar, learned counsel appearing for the Applicant, who is the original Appellant and Mr. Pitre, learned counsel appearing for the Respondent-Trust.
2. In this Interim Application the relief is sought for fixing the date of hearing.

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3. Mr. Pitre, learned counsel appearing for the Respondent-Trust states that the Applicant has violated various orders passed by this Court and therefore, he has filed Interim Application No.30672 of 2022 for vacating the interim arrangement directed by this Court by order dated 7th April 2005 and dismissal of the Second Appeal with compensatory cost of Rs.1 crore. However, he states that he has no objection if hearing of the Second Appeal itself is fixed.

4. The Second Appeal is of the year 2005 and is ready for final hearing.

5. Accordingly, the Interim Application No.2696 of 2022 is allowed. The Second Appeal be listed in the final hearing board in the week commencing from 7th August 2023.

6. The Second Appeal be listed along with Interim Application No.30672 of 2022 filed by the Respondent-Trust.

[MADHAV J. JAMDAR, J.]