

Nikita

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

WRIT PETITION (ST.) NO.4564 OF 2023

Parshuram Shingya Koli

... Petitioner

V/s.

Anant Chander Koli and Ors.

... Respondents

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Mr.Ashraf Kapor a/w Mr. Danish Ansari i/b Mr.
Mohammed Zain Khan for the Petitioner.

Mr. Rohit Sakhadeo for Respondent Nos.13 to 15.

CORAM : AMIT BORKAR, J.

DATED : SEPTEMBER 5, 2023

P.C.:

1. The petitioner is seeking direction against the Trial Court to decide interim application expeditiously.
2. In substance, the petitioner is seeking mandamus. Without there being request is made before the Court and consequent refusal, relief of mandamus cannot be granted in the absence of such application being filed before the Trial Court. The present petition is not maintainable.
3. However, it will be open for the petitioner to file appropriate application before the Trial Court and after such application is filed, the Trial Court shall decide such application in accordance with law.

4. The writ petition is disposed of. No costs.

(AMIT BORKAR, J.)