

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

WRIT PETITION NO. 6378 OF 2023

Mohammed Shamshuddin Inamdar

...Petitioner

Versus

Amba Nagari Cooperative Society Limited

...Respondent

Mr. T. D. Deshmukh a/w Ms S. S. Mohanty, Mr. H. D. Chavan & Mr. Anshuman Deshmukh, for the Petitioner.

Mr. Ashwin Shete i/b Jayakar & Partners, for the Respondent.

CORAM : SHARMILA U. DESHMUKH, J.

DATE : 31st JULY, 2023.

P.C.:

. Heard.

2. The challenge in the petition is to the order dated 29th April, 2023 granting stay to the effect and implementation of the order passed on Exhibit 5 and further restraining the original plaintiff from entering into the suit property till the next date. The impugned order is an ad-interim order and a show cause notice has been issued as to why the interim relief claimed by the applicant should not be confirmed.

3. Learned Counsel appearing for the parties informed this Court that the matter is fixed before the Appellate Court on 19th August, 2023. This Court by order dated 19th May, 2023 has granted an ad-interim stay to the second part of the order that is restraining the original plaintiff from entering into the suit property till the next date.

4. Without going into the merits of the matter, in my opinion, it would be in the interest of justice if the Appellate Court hears the appeal on 19th August, 2023 and decides the same expeditiously and in any event within a period of three weeks from 19th August, 2023. It is made clear that no adjournment will be sought by the parties on 19th August, 2023.

5. The ad-interim stay which was granted to the second part of the order is extended till 19th August, 2023. The writ petition stands disposed of in the above terms.

(SHARMILA U. DESHMUKH, J.)