

SA Pathan

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

WRIT PETITION NO.8410 OF 2022

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Date: 2023.10.04
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Topaz Industries

Through its Partner & Anr

... Petitioners

V/s.

Ramesh Vardhan & Anr

... Respondents

Mr. Simil Purohit a/w Mr. Mittal Munoth a/w Mr. Vishal
Pattabiraman, for petitioners.

Mr. Amrut Joshi a/w. Ms. Preeti Gada, with Mr. Ramesh
Vardhan, for respondent No.1.

CORAM : AMIT BORKAR, J.

DATED : OCTOBER 3, 2023

P.C.:

1. By consent of both the parties, I, therefore, pass following
order:

a) The order dated 7 April 2022 passed by the City Civil
Court, Greater Mumbai in Summons For Judgment No.204
of 2014 in Summary Suit No.1076 of 2013 is quashed and
set aside.

b) The proceedings are remanded back to the Judge,
Court No.13, City Civil Court, Greater Mumbai, for
considering of Summons For Judgment No.204 of 2014 on
merits.

2. Both the parties are permitted to place on record relevant material necessary for adjudication of issue involved.
3. Considering the pendency of suit, the City Civil Court, Greater Mumbai is directed to expedite hearing of Summons For Judgment No.204 of 2014.
4. The writ petition stands disposed of. No costs.

(AMIT BORKAR, J.)