

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO. 641 OF 2023
WITH
INTERIM APPLICATION NO. 14268 OF 2023**

Prakash Ramdas Vishwakarma

...Appellant

(Orig. Appellant)

V/s.

Rajesh Suraj Sharma

....Respondent

Mr. Pankaj Dwivedi, for the Appellant.

None for the Respondent.

CORAM : SANDEEP V. MARNE, J.

Dated : 30 October 2023.

P.C. :

1. The challenge in the present Appeal is to the order dated 31 May 2023 passed by the City Civil Court refusing ad-interim relief in favour of the Appellant.
2. After hearing the learned counsel for the Appellant for some time, I feel it would be appropriate that the Notice of Motion for grant of temporary injunction is decided by the City Civil Court rather than this Court examining the correctness of the order dated 31 May 2023.

3. Accordingly, the Appeal is **disposed of** by requesting the City Civil Court to decide the Notice of Motion expeditiously and to make an endeavor to decide the same preferably within a period of six weeks from today.

4. All the contentions raised in the Appeal are kept open. The City Civil Court shall not be influenced by order dated 31 May 2023 while deciding the Motion finally.

5. With the above directions, the Appeal is disposed of. With disposal of the Appeal, Interim Application does not survive. The same also stands disposed of.

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SANDEEP V. MARNE, J.