

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

**APPEAL FROM ORDER NO. 620 OF 2023
WITH
INTERIM APPLICATION NO. 14066 OF 2023**

SANTOSH
SUBHASH
KULKARNI

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Saloni Vijash Mardia Kothari alias Saloni

Sunil Mardia and anr.

...Appellants

Versus

Sunil Rajmalji Mardia and ors.

...Respondents

Mr. Joshi, a/w Mr. Arif Bhati, for the Appellants.

Mr. Deepak Mane, for Respondent Nos.1 to 4.

Mr. Abhishek Bhaduri, i/b Goenka Law Asso., for Respondent
No.6 – Bank.

CORAM: N. J. JAMADAR, J.

DATED : 9th AUGUST, 2023

Order:-

1. Heard the learned Counsel for the appellants.
2. This appeal is directed against an order dated 6th July, 2023 declining to grant ad-interim relief.
3. The learned Counsel for respondent No.6 – Bank submits that the Notice of Motion is posted for filing reply on behalf of the defendants on 11th August, 2023 and respondent No.6 would file affidavit-in-reply on that day.
4. Having regard to the nature of the controversy, it may be expedient that the Notice of Motion is decided by the learned Judge, City Civil Court, on its own merits. In view of the fact

that the Notice of Motion is posted for filing reply on 11th August, 2023, at this stage, there is no propriety in entertaining the appeal against an order declining to grant ad-interim relief.

5. The learned Judge, City Civil Court, is requested to make an endeavour to decide the Notice of Motion as expeditiously as possible.

6. Appeal stands disposed.

7. In view of disposal of the appeal, interim application does not survive and stands disposed.

[N. J. JAMADAR, J.]