

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 401 OF 2022
WITH
CIVIL APPLICATION NO.50 OF 2022

The Bombay Presidency Golf Club Limited & Ors. ...Appellants

Versus

Sucheta Desmond Rodrigues ...Respondent

WITH
APPEAL FROM ORDER(ST) NO. 30529 OF 2019
WITH
INTERIM APPLICATION NO.3511 OF 2019

The Bombay Presidency Golf Club Limited & Ors. ...Appellants

Versus

Sucheta Desmods Rodrigues ...Respondent

...

Mr. Ashutosh M. Kulkarni i/by Mr. Gourav Sharma, for Appellant.
Mr. Onam Hingorani for Respondent.

...

CORAM : SANDEEP V. MARNE, J.
DATE : OCTOBER 20, 2023

P.C.:

1. The challenge in the present Appeals is to the orders dated 6 March 2019 and 9 September 2019. The dispute is about privileges attached to

the membership of the Appellants-Club. The present Appeals are pending since the year 2019 and interim orders are operating in favour of the Respondents. In that view of the matter, instead of determining the correctness of the orders dated 6 March 2019 and 9 September 2019, it would be appropriate to request the City Civil Court to take up L.C. Suit No.3054 of 2018 and SC Suit 3262 of 2019 for hearing expeditiously. In the meantime, the interim arrangement made by this Court would continue to operate.

2. In that view of the matter, the present Appeals are disposed of requesting the City Civil Court to expedite the hearing of L.C. Suit No.3054 of 2018 and S.C. Suit 3262 of 2019 and to make an endeavour to decide the same as expeditiously as possible, preferably within a period of nine months from today. Both Plaintiffs and Defendants shall co-operate with the City Civil Court for early disposal of the Suits without seeking any unnecessary adjournments. I am informed that the issues in both the Suits are already framed.

3. Plaintiff shall file her Affidavit of evidence before the City Civil Court within six weeks from today. Parties shall appear before the City Civil Court on 31 October 2023 and obtain further directions from the City Civil Court.

4. With the above directions, both Appeal from orders are disposed of. In view of disposal of Appeals, both Interim Applications do not survive and stand disposed of.

5. Needless to say that the City Civil Court shall proceed to decide the Suits on their own merits without being influenced by the observations made in the impugned orders.

(SANDEEP V. MARNE, J.)