

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

WRIT PETITION NO.14362 OF 2022

Nautam Damji Shah and ors. ... Petitioners
Vs.
Todi Industries Private Limited and ors. ... Respondents

Mr.R.A.Shaikh with Ms.Swati Margi and Mr.Hasan Sayed, Advocates for
Petitioners.

Mr.Sanjeev K. Rapolu with Mr.Bhushan Deshmukh, Advocates for the
Respondent No.1.

CORAM : ABHAY AHUJA, J.

DATE : 18 JULY, 2023.

P.C. :

1. After the matter is heard for some time, Mr.Shaikh, learned counsel for the Writ Petitioners fairly states that a substantive Appeal No.11 of 2023 under section 42 of the Presidency Small Causes Court Act has already been filed against the impugned judgment which is pending. Learned counsel would submit that the ground raised in this petition has also been raised in the appeal.

2. In this view of the matter, this court does not consider it

appropriate to entertain the writ petition.

3. Let the Appellate Bench of the Small Causes Court hear the appeal and decide the issues raised therein preferably within a period of one year.

4. Writ Petition accordingly stands disposed.

(ABHAY AHUJA, J.)