

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 876 OF 2024
WITH
INTERIM APPLICATION NO. 15425 OF 2024

Smt. Vimal Irappa Patil And Others ...Appellants
Versus
Sunil Radheshyam Bharadiya And Another ...Respondents

Mr. Ashok Tajane for the Appellants.
Mr. Bhushan Walimbe for Respondent No.1.

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CORAM : M.M. SATHAYE, J.
DATE : 6th DECEMBER 2024

P.C. :

1. Heard learned counsel for the Appellants and learned counsel for the Respondent No.1/caveator.

2. Learned counsel for the Appellants submits that impugned order dated 15.10.2024 is an order of remand in a matter arising out of obstructionist proceedings initiated at the instance of Respondent No.1. He submits that the Trial Court has kept the suit today (post remand) for framing of issues. He prays for urgent protection so that the suit should not proceed.

3. Learned counsel for Respondent No.1, on the other hand submits that impugned order has directed the Trial Court to decide the suit within 3 months and mere framing of issues will not make any difference.

4. In view of the submissions made, issue notice to Respondents, returnable on 17.12.2024. Hamdast is permitted. In addition to the Court's notice, private notice is also permitted.

5. Learned counsel for Respondent No.1 waives service.

6. It is clarified that in the meantime, if the issues are framed by the Trial Court based on the impugned order, the issues will be subject to outcome of this appeal.

(M.M. SATHAYE, J.)