

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION**

**APPEAL FROM ORDER NO. 303 OF 2022  
WITH  
INTERIM APPLICATION NO.2210 OF 2022  
IN  
APPEAL FROM ORDER NO. 303 OF 2022**

Mr Iqbal Ebrahim Khan & Ors. ...Appellants/Applicants

vs.

Anutej Construction Pvt. Ltd. & Anr. ...Respondents

....

Mr S.G. Deshmukh, i/b. Abhijeet Kandarkar, for the Appellants.

Mr Zamir J. M. Shaikh, i/b. L. C. Tolat & Co, for Respondent Nos.1 and 2.

....

**CORAM : R.N. LADDHA, J.**

**DATE : 3 APRIL 2024**

**P.C. :**

. In view of the affidavit filed by respondent no.2, stating therein that respondent no.3 is no longer associated with the affairs of respondent no.1 Company, learned Counsel for the appellants seeks leave to delete the name of respondent no.3 from the array of this appeal.

2. Leave granted as prayed for. Necessary amendment be carried out forthwith.

3. After hearing the matter for some time, this Court finds that this appeal can be conveniently disposed of by directing the learned trial court to decide the suit in a time bound manner. Till then, the respondents shall not make third party interest.

4. Learned Counsel for the parties, in unison, submit that they will co-operate the learned trial court for expeditious disposal of the suit.

5. In view of this, the learned trial court is requested to dispose of the suit pending before it on its own merits in accordance with the law expeditiously and preferably within six months from the receipt of this order.

6. Appeal from order stands disposed of accordingly.

7. As a sequel, the pending interim application also disposed of.

**(R.N. LADDHA, J.)**