

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO. 140 OF 2024

Abdul Hamid Khan Matwan

.. Applicant

Versus

Abdul Kadir Hamidmia Surme & Ors.

.. Respondents

.....

- Mr. Vaibhav Parshurami i/by Mr. Sagar Joshi for Applicant
- Mr. S.M. Shettigar a/w Mr. Ram Mohite for Respondent Nos. 1 & 2

.....

CORAM : MILIND N. JADHAV, J.

DATE : MARCH 18, 2024

P. C.:

1. Heard Mr. Parshurami, learned Advocate for Applicant and Mr. Shettigar, learned Advocate for Respondent Nos. 1 and 2.

2. In his usual fairness, Mr. Parshurami has drawn my attention to the order dated 13.02.2024 and would seek one indulgence from the Court. He would submit that nothing should preclude the parties from filing any Application before the learned Trial Court in view of the specific contentions raised by Defendant No. 7 in his Application below Exh. 68.

3. It is clarified that I am not opining on merits of the matter. The order impugned dated 02.02.2024 is sustained without precluding the rights of any of the parties including Defendant No. 7 to take out any appropriate Application as available to them in law and if so taken out, the same shall be decided strictly on its own merits. In view of the

directions given by the learned Trial Court itself in the order dated 02.02.2024, Special Civil Suit No. 162/2015 is directed to be decided and adjudicated as expeditiously as possible and in any event within a period of six months from today. Any interlocutory Applications pending before the Trial Court shall be determined within a period of two weeks from today. Parties who have filed the interlocutory Applications shall move the Trial Court along with an authenticated copy of this order tomorrow i.e. on 19.03.2024 at 10:30 a.m. Learned Trial Court shall pass appropriate directions as per its convenience for determination of the interlocutory Applications. Parties shall co-operate with the learned Trial Court for final disposal of the Suit and shall not seek unnecessary adjournments unless it is absolutely necessary. Needless to state that all contentions of the parties are expressly kept open and the Trial Court while deciding the Suit proceedings shall not be influenced by any of the observations and findings in the order dated 02.02.2024 as they are *prima facie* in nature.

4. With the above directions, Civil Revision Application is disposed.

[MILIND N. JADHAV, J.]

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Digitally signed
by RAVINDRA
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