

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO. 5 OF 2024

Ganesh Arjun Chukkal

..... Applicant

VERSUS

Melroia Hospitality Private Limited

..... Respondent

Mr.Anil Sakhare, Senior Advocate a/w. Mr.Laxman Shahapur,
Mr.Viraj Kadam, Mr. Rohit Mishra i/b. Mr. Amit D.Nikam for the
Applicant.

Mr.S.M.Gorwadkar, Senior Advocate a/w. Mr.Pritesh Vyas,
Mr.Nikhil Randive for the Respondent.

CORAM: RAJESH S. PATIL, J.

DATE : 19 JANUARY, 2024

P.C. :-

This Civil Revision Application is filed by the original plaintiff challenging the impugned order dated 2 December, 2023 passed in Miscellaneous Appeal No. 15 of 2023.

2. After the matter was argued for some time, both the learned counsel agree that the impugned order dated 2 December, 2023 was passed when the advocate appearing for the applicant/original plaintiff was not present. Therefore, the

impugned order dated 2 December, 2023 passed in Miscellaneous Appeal No. 15 of 2023, by the Appellate Bench of the Small Causes Court is hereby quashed and set aside. All contentions of parties on merit are kept open.

3. The Appellate Bench of the Small Causes Court should take Miscellaneous Appeal No. 15 of 2023 back on file and make an endeavour to dispose of the same on or before 5 February, 2024.

4. Both the parties should co-operate in disposing of the Miscellaneous Appeal No. 15 of 2023, and they will not take seek any unnecessary adjournment.

5. Both the parties should remain present before the Appellate Bench of the Small Causes Court today at 2.30 p.m.,

6. Both the parties are free to file their pleadings/documents and shall serve a copy of the same to the other side by 23 January, 2024.

7. Civil Revision Application is accordingly disposed of.
8. Parties to act on the authenticated copy of this order.

[RAJESH S. PATIL, J.]