

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.12864 OF 2024

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M/s.Shree Sant Damaji Sahakari Sakhar
Karkhana Ltd., and Ors.

...Petitioners

V/s.

New Phaltan Sugar Works Distillery
Division Limited and Ors.

...Respondents

Ms.Gauri Velankar i/b. Mr.Sarang S. Aradhye (<u>Later on</u>):-	Advocate for Petitioners.
Mr.Vivek Salunke:-	Advocate for Respondents.

CORAM : S. M. MODAK, J.

DATE : 22nd NOVEMBER 2024

P. C. :-

1. *Praecipe* is moved for taking the matter on board on behalf of the Respondents.
2. Heard both the sides.
3. There is a request on behalf of the Petitioners to keep back the matter because learned Advocate Shri.Aradhye is busy before the Division Bench. It is not possible considering the workload. About the mentioning, learned Advocate for the Petitioners was already informed.

4. The Commercial Court – Pandharpur on 3rd April 2024 has held that it has got jurisdiction to try and entertain the Suit. This order was passed on the basis of objection taken by the Defendant–present Petitioner. The said order is challenged by way of this Writ Petition.

5. A submission on behalf of the Respondents is, the trial Court is not hearing their Exhibit-5 temporary injunction Application in view of the pendency of this Writ Petition. There is no dispute amongst both the sides that this Court has not stayed the hearing of the Suit or stayed the implementation of the impugned order. On that basis, the Respondent-Plaintiff to move before the trial Court.

Later on:-

6. Learned Advocate Shri.Aradhya appeared and expressed desire to argue this matter finally at 2.30 p.m. Today, the transfer Applications are to be heard and Bail Applications also. So, it is not possible to hear him.

7. Let, this matter be kept on **16th December 2024.**

[S. M. MODAK, J.]