

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.1319 OF 2025

Nelson Francis Bugri & Ors.

...Petitioners

Versus

Khalil Ahmed Khan s/o. Abdul Gaffar Khan &
Ors.

...Respondents

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Mr. R. P Ojha a/w. Mr. Ankit Ojha, for the Petitioners.
Mr. Pradeep J. Thorat i/b. Ms. Aditi S. Naikare, for the Respondent
No.1.

CORAM: MADHAV J. JAMDAR, J.
DATED : 28th APRIL 2025

P. C.:

1. Heard Mr. Ojha, learned Counsel appearing for the
Petitioners and Mr. Thorat, learned Counsel appearing for the
Respondent No.1.

2. By the present Writ Petition filed under Article 227 of the
Constitution of India, the challenge is to the legality and validity of
the order dated 18th December 2024 passed by the learned Judge,
Small Causes Court, Mumbai below Exhibit-103 in R.A.E. Suit
No.757 of 2005. By the impugned order, no-cross order passed

against the Respondents i.e. Defendants on 12th November 2024 is set aside.

3. After arguing the Writ Petition for some time, Mr. Ojha, learned Counsel fairly states that he will not press the challenge to the impugned order dated 18th December 2024 and he seeks withdrawal of the Writ Petition. However, he states that the suit is of the year 2005, hearing of the suit be expedited. He states that one of the ground in the suit filed in the year 2005 is bona fide requirement.

4. Accordingly, the Writ Petition is allowed to be withdrawn and disposed of as such. However, in the facts and circumstances of this case, the learned Judge, Small Causes Court, Mumbai is requested to expeditiously dispose of the said R.A.E. Suit No.757 of 2005 within a period of one year from today.

[MADHAV J. JAMDAR, J.]