

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1616 OF 2026

Chetan R Shah

..Petitioner

Versus

M/s Ashwatha Developers and Ors

...Respondents

Mr. Chirag Mody, with Rakesh Agrawal and Sandeep Nirban, for the
Petitioner.

Mr. Rahul Soman, with Namrata Vashisht, i/b Markand Gandhi & Co,
for the Respondents.

CORAM: N. J. JAMADAR, J.

DATE : 21st APRIL 2026

P.C.:

1. Heard the learned Counsel for the Petitioner.
2. In the backdrop of the order passed by the learned Judge, City Civil Court, granting leave to defend the suit, subject to the deposit of the entire principal amount, recording a *prima facie* view that triable issue has been raised, this Court is not inclined to entertain the Petition. However, having regard to the nature of the suit claim and the amount involved, the Court is of the view that the summary suit can be decided expeditiously.

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RAMCHANDRA
SANKPAL

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3. The learned Counsel for the Respondents submits that the Defendants have complied with the condition of deposit and the Written Statement has been filed.

4. The learned Judge, City Civil Court is requested to hear the parties and settle the issues and decide the summary suit as expeditiously as possible and, preferably, within a period of six months from the date of settlement of the issues.

5. Petition disposed.

[N. J. JAMADAR, J.]