



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.1700 OF 2026  
IN  
FIRST APPEAL NO.210 OF 2019

Vishal Shantilal Nagaria

...Applicant

**IN THE MATTER BETWEEN:**

Uttam T. Jain

...Appellant

**Versus**

Vishal Shantilal Nagaria

...Respondent

---

Mr. Manish N. Bijutkar (through VC) for the Applicant in IA/1700/26.  
Mr. Rajiv Carvalho a/w Mr. Tejas Agarwal & Ms. Anushka Singh i/by IC  
Legal for the Respondent in IA/1700/26 & for Appellant in FA/210/19.

---

**CORAM : JITENDRA JAIN, J.**

**DATE : 5 MARCH 2026**

**P.C.:**

1. This application is made by the original plaintiff in whose favour the suit was decreed. The present application is for early hearing of the appeal.

2. The order of the City Civil Court has been stayed on an appeal filed by the original defendant. However, in September 2025, this Court has passed an order directing original defendant to pay Rs.30,000/- per month as rent to the original plaintiff since the suit property is in possession and occupation of the original defendant.

3. The Court accepts that the priority should be given to the appeals, but the Court itself is over-burdened with various matters and on a comparison of priority, there are other matters, which require more

priority. Therefore, it is not possible for the Court to grant any early hearing in the matter, moreso because the original plaintiff is receiving Rs.30,000/- per month towards rent.

4. In view of above, interim application is disposed of.

[ JITENDRA JAIN, J. ]