

:1: Ex. 7 MARJI Appln. No. 22 of 2018 dt 30.03.19

CNR No. MHSCA20034252017

IN THE COURT OF SMALL CAUSES AT MUMBAI

**EXHIBIT NO. 7
IN
MARJI APPLICATION No. 22 of 2018
IN
Review Petition No. 6 of 2015
IN
EXHIBIT NO. 20
(Order dated 17.12.2014)
IN
MARJI Application No. 524 of 2013
IN
Execution Appln. No. 263 of 2013
IN
Obstructionist Notice No. 591 of 2010
IN
L.E. & C. SUIT NO. 69/86 of 1978**

1. Mr. Kedar Kirit Ruparel and anr.

Applicants
(Org. Obstructionists) .

V/s.

1. The board of Trustees of the Port of
Bombay A statutory Corporation

Respondents
(Org. Plaintiffs)

Coram : G.L. Masand, Judge.
C. R. No. 16.
Date :30.03.2019

ORAL ORDER :-

Heard both sides. It is settled principle of law that there should be end to litigation and all suits and applications should be decided on merits. If order dated 07.09.2018 is not set aside and if applicant is not permitted to argue the matter, matter cannot be

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decided on merits. On the contrary if order dated 07.09.2018 is set aside even the other side will get the opportunity to put his case on merit. Therefore on above grounds I proceed to pass the following order.

: O R D E R :

- 1 Application Exhibit No.- 7 is allowed.
- 2 The order dated 07.09.2018 is set aside.

MUMBAI
Date :30.03.2019

(G.L. Masand)
Judge, C.R. No.16

Order dictated on Computer : 30.03.2019
Order Checked & signed on : 30.03.2019