

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**APPEAL FROM ORDER NO.502 OF 2023
WITH
INTERIM APPLICATION NO.12978 OF 2023
IN
APPEAL FROM ORDER NO.502 OF 2023
WITH
APPEAL FROM ORDER NO.503 OF 2023**

Pawankumar Ramchandra Prasad	...Appellant/Applicant
vs.	
M/s. G.P. Associates & Ors.	...Respondents

....

Mr. Pawankumar R. Prasad – Appellant/Applicant in person.
Mr. R.M. Haridas, for Respondent No.1 in AOs.

....

**CORAM : SANDEEP V. MARNE, J.
DATE : 21 AUGUST 2024**

P.C. :

After having heard the Appellant party-in-person, it is seen that the order challenged in the present Appeal from Order is dated 2 December 2022 which rejects the prayer of the Plaintiff/Appellant for restitution of possession of the suit premises by way of an interim order sought in SC Suit No.1681 of 2021. It appears that the Defendants in the suit took out an application for rejection of plaint in SC Suit No.1681 of 2021 and the said application came to be rejected by the City Civil Court. The order of the City Civil Court rejecting the application for rejection of plaint is subject matter of challenge in Civil Revision Application No.320 of 2023. This Court has

admitted the Civil Revision Application by order dated 5 September 2023. It appears that after admitting the Civil Revision Application, this Court has stayed the proceedings of SC Suit No.1681 of 2021. Since the issue of very maintainability of SC Suit No.1681 of 2021 is being decided by this Court in Civil Revision Application, it would be appropriate that the Appeal from Order is decided only after Civil Revision Application is decided by this Court. The Appellant party-in-person submit that the Civil Revision Application is now part heard. Accordingly remove from board.

(SANDEEP V. MARNE, J.)