

ITEM NO.3

COURT NO.13

SECTION IX

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).23783/2008

(From the judgement and order dated 30/07/2008 in AFO No. 570/2008
& NOM No. 3681/2007 & SN No. 4118/2007 of The HIGH COURT OF BOMBAY)

MAXI FRANCIS ALEX & ORS.

Petitioner(s)

VERSUS

PRAMOD G.AHIRE & ANR.

Respondent(s)

(With prayer for interim relief and office report)

Date: 04/01/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr.L. Nageshwar Rao, Sr. Adv.
Mr. Shyam Divan, Sr. Adv.
Mr. Vinay Navare, Adv.
Ms. Abha R. Sharma, Adv.

For Respondent(s) Mr. Jay Savla, Adv.
Mr. Jayesh Kini, Adv.
Ms. Meenakshi Ogra, Adv.

UPON hearing counsel the Court made the following

O R D E R

Leave granted.

The appeal is disposed of in terms of the signed order.

(Neetu Sachdeva)
Sr.P.A

(Mithlesh Gupta)
Court Master

(Signed order is placed on the file.)
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2010
@ SLP (c) No.23783/2008

MAXI FRANCIS ALEX & ORS.

Petitioner(s)

VERSUS

PRAMOD G.AHIRE & ANR.

Respondent (s)

O R D E R

Leave granted.

This appeal is directed against order dated 30.7.2007 passed
by the Division Bench of Bombay High Court in Appeal from Order
No. 570/2008 in Notice of Motion No. 3681/2007 in Suit (Stamp) No.
4118/2007 whereby the Division Bench declined to interfere with

interim order dated 21.2.2008 passed by the learned Single Judge.

We have heard learned counsel for the parties and perused the record.

In our view, ends of justice will be adequately met if the parties are directed to maintain status quo and the trial Court is directed to dispose of the suit at an early date.

Accordingly, the appeal is disposed of in the following terms:

1. The orders passed by the learned single Judge and Division Bench of the High Court shall stand modified with the direction that the parties shall maintain status quo, as obtaining today, in regard to possession of the property in dispute and the appellants shall not create further third party rights.

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2. The Trial Court shall finally dispose of the suit as early as possible, but latest within nine months from the date of receipt/production of copy of this order.

.....J.
(G.S.SINGHVI)

.....J.
(ASOK KUMAR GANGULY)

New Delhi
JANUARY 04, 2010