

CASE NO.:
Appeal (civil) 904 of 2008

PETITIONER:
PIYUSH @ GIRISH UMEDBHAI PATEL

RESPONDENT:
SUSHILABEN RATILAL PATEL & ORS

DATE OF JUDGMENT: 01/02/2008

BENCH:
S.B. SINHA & V.S. SIRPURKAR

JUDGMENT:
JUDGMENT
O R D E R

CIVIL APPEAL NO.904 OF 2008
[Arising out of SLP(C) No.10625 of 2007]

Leave granted.

Having heard the learned counsel for the parties, we are of the opinion that the High Court was not correct in allowing the sale of the entire Cinema theatre at the price fixed by it during the pendency of the suit. As the suit is of the year 2000, interest of justice would be subserved if the hearing of the suit is directed to be expedited. Accordingly, we direct that the suit be taken up for hearing expeditiously and be disposed of within a period of six months.

The Court of Civil Judge, Senior Division, Ahmedabad (Rural) Mirzapur and the City Civil Court, Ahmedabad are also directed to complete the proceedings in C.S. Nos.234/2004 and 2959/2002 respectively. The parties would be at liberty to approach the learned Trial Court for any interim order if any occasion arises therefor.

The appeal is disposed of accordingly.