

SUPREME COURT OF INDIA

Rajesh Naupatlal Sankla

Vs.

Raja Mahendragir Dhanrajgir

C.A.No.1999 of 2011

(Dalveer Bhandari and H.L. Gokhale JJ.)

15.02.2011

ORDER

1. Leave granted.

2. We have heard the learned counsel for the parties. Mr. Sanyal, learned senior counsel appearing for the appellants prays for some time to file a petition under Section 226 of the Constitution before the High Court. Let the petition be filed within four weeks from today. He also undertakes to implead the respondents and the Union of India in the writ petition to be filed before the High Court. Mr. Jaideep Gupta, learned senior counsel appearing for the respondents submits that the suit is pending before the Small Causes Court, Pune.

3. We direct the proceedings in the suit to continue, however, no final order in the suit be passed until the disposal of the writ petition to be filed by the appellants before the Bombay High Court. In the facts and circumstances of the case, we request the Bombay High Court to dispose of the writ petition, if filed (by the appellants within four weeks from today) as expeditiously as possible, in any event, within a period of one year from the date of filing of the writ petition. In case, the writ petition is not filed within a period of four weeks, this order would be of no avail to the appellants. With these observations, this appeal is disposed of, leaving the parties to bear their own costs.