

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 564 OF 2016
[@ SPECIAL LEAVE PETITION (C) 6420 OF 2012]

ASHA SHRICHAND RAHEJA & ANR. Appellant (s)

VERSUS

PURUSHOTAM VISHANDAS RAHEJA Respondent(s)

J U D G M E N T

KURIAN, J.

1. Leave granted.

2. The appellants approached this Court, aggrieved by the order dated 13.12.2011 passed by the High Court of Judicature of Bombay at Mumbai in Appeal No. 598 of 2011, whereby the High Court granted an interim prayer in terms of Prayer (a), which reads as follows :-

"2. As the Appeal is admitted against the order by which sole caveat is removed, further proceedings for grant of probate will have to be stayed. Hence, Notice of Motion is granted in terms of prayer (a).

3. Notice of Motion stands disposed of accordingly. No costs"

3. Since the appeal has already been admitted, we are of the view that it will be in the interest of parties concerned to have the appeal disposed of at

the earliest.

4. Therefore, we request the High Court to dispose of Appeal No. 598 of 2011 expeditiously and preferably within six months from today.

5. In view of the above, the Civil Appeal is disposed of with no order as to costs.

6. We make it clear that we have not expressed any opinion on the merits of the case.

.....J.

[KURIAN JOSEPH]

.....J.

[SHIVA KIRTI SINGH]

New Delhi;
January 27, 2016.



JUDGMENT