

**IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION**

**CIVIL APPEAL NO(S). 8708/2018  
(ARISING FROM SLP(C) No(s).21259/2018)**

**SURAJ PRAKASH BHAGAT**

**APPELLANT(S)**

**VERSUS**

**BHAVESHBHAI NARESHCHANDRA AMIN & ORS.**

**RESPONDENT(S)**

**J U D G M E N T**

**KURIAN, J.**

Leave granted.

2. The appellant is before this Court, aggrieved by the order dated 24.07.2018 passed by the High Court of Gujarat at Ahmedabad in Appeal from Order No.86 of 2018. The High Court vacated the interim order of injunction granted in Special Civil Suit No.330 of 2017.

3. We are informed that Respondent No.3 herein has moved an application for transfer of Special Civil Suit No.330 of 2017 from the Court of the 16<sup>th</sup> Additional Senior Civil Judge, Vadodara to some other Court.

4. Having heard the learned counsel for the parties extensively, we are of the view that the litigations regarding transfer, interim arrangement to be made during the pendency of the trial etc. are to be put

an end to, for the purpose of the smooth progress of the trial and it is agreeable to both the sides.

5. Accordingly, this appeal is disposed of as follows:-

i) All the adverse observations made by the High Court in the impugned order dated 24.07.2018 against the Trial Judge are expunged.

ii) The Principal District Judge, Vadodara, is directed to transfer the Special Civil Suit No.330 of 2017 from the Court of the 16<sup>th</sup> Additional Senior Civil Judge, Vadodara to an appropriate Court, forthwith. The Court to which the Civil Suit is thus transferred is directed to conclude the trial expeditiously.

iii) The parties are directed to maintain status quo with regard to the title of the property during the pendency of the Civil Suit. However, it is made clear that in case Respondent Nos.1 and 3 herein seek to transfer the property, it will be open to them to approach the Trial Court in that regard, in which case such applications will be considered on their own merits.

Needless also to say that the Civil Suit shall be tried uninfluenced by any of the observations and findings of the Trial Court and the High Court.

6. The appeal is, accordingly, disposed of.

7. Pending applications, if any, shall stand disposed of.

8. There shall be no orders as to costs.

.....J.  
[KURIAN JOSEPH]

.....J.  
[SANJAY KISHAN KAUL]

NEW DELHI;  
AUGUST 27, 2018.