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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.30050 OF 2022

IN
FIRST APPEAL NO.78 OF 2021

Devang Champaklal Goradia

....Applicant

In the matter between

Dipak Patel

....Appellant

V/s.

Devang Champaklal Goradia & Anr.

....Respondents

Ms. Leena Shah i/by M/s. Shah and Furia Associates for the applicant.

Mr. Gauraj Shah i/by Kanga & Co. for the appellant.

CORAM : JITENDRA JAIN, J.

DATED : 25 March 2026

PC. :

1. Learned counsel for the applicant/respondent no.1 states that as of today she is not pressing for prayer clause (a). In future as and when the need arises she will make appropriate application for the same.
2. Insofar as prayer clause (b) is concerned, same is for expediting the hearing. By a separate order, I have admitted the appeal. The prayer for expediting the hearing cannot be considered for following reasons. There are matters which are pending for more than 30 years in this Court and there is no special case made out for this appeal to be heard prior to those matters.
3. There are appeals filed under the Motor Vehicles Act, 1988, Workmen Compensation Act, 1923 etc. where the applicant is waiting for last more than 15 years to get compensation of few lakhs. The Court has to give

priority to such appeals.

4. The Court is conscious that the matters should be disposed of at the earliest, but looking at the docket of the Court, it is not possible for this Court to dispose of all the matters finally at the admission stage. This is humanly impossible and the Courts are run by humans and not by artificial intelligence.

5. The submission of the applicant-respondent no.1 that he has a good case on merits will be considered at the stage of the final hearing, but that cannot be a ground for expediting the hearing.

6. The learned counsel for applicant further requested the Court that the appeal be heard at the admission stage itself. This Court has come across similar orders and for last 15 years the appeals where such orders were passed were not been able to heard finally because of the pressure of the docket of admission itself.

7. In view of above, the request for early hearing cannot be accepted. Interim application is disposed of accordingly.

(JITENDRA JAIN, J.)