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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.2285 OF 2015

Bhaskar Devji Khemnar

PETITIONER

VERSUS

Kondaji Barku Khemnar & others

RESPONDENTS

.....

Mr. K. N. Shermale, Advocate for the petitioner

Mr. A. S. Bajaj, Advocate for respondents No.1 to 4

Mr. D. J. Patil, Advocate for respondent No.5

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[CORAM : SUNIL P. DESHMUKH, J.]

DATE : 28th SEPTEMBER, 2015

ORDER :

1. Since the impugned order dated 5th February, 2015 passed by civil judge, senior division, Sangamner on Exhibit-21 in Regular Civil Suit No.402 of 2009 appears to be non speaking in respect of circumstances involved in the case, the same is set aside. Application Exhibit-21 is restored to its position as had been subsisting before the impugned order has been passed, for reconsideration. Regard may also be had to the decisions of this court in writ petition No.9089 of 2011 and other writ petitions, being relied upon by the petitioner as well as the decisions being relied upon on behalf of the respondents.

2. Having regard to powers vested in the court, learned judge shall consider the application without being baulked by this order and pass appropriate orders.
3. Writ petition, as such, stands disposed of.

[SUNIL P. DESHMUKH, J.]

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