

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD

WRIT PETITION NO. 6202 OF 2014

Govind Tukaram Gore ... Petitioner
VS
Smt. Sundarbai Jamanrao Gore & ors. ... Respondents

Mr. M.S. Kulkarni, Advocate for petitioner
Mr. S.P. Brahme, Advocate for respondent no.7
Mr. K.B. Autade, Advocate for respondents no. 13 and 14
Mr. B.R. Warma, Advocate for respondent no. 17

CORAM : SUNIL P. DESHMUKH, J.
DATE : FEBRUARY 11, 2015

ORDER

1. Heard the parties.
2. It appears that the subject-matter of application Exhibit-58 before the trial court is no longer standing since it is being contended by Mr. Brahme-learned counsel for respondent no. 7-original plaintiff that the suit premises stand demolished.
3. Mr. Kulkarni, learned counsel appearing for the petitioner, passionately submits that he be allowed to reconstruct the premises and further that he would undertake to demolish the same if the decision in the suit goes against him without claiming any equities.

4. However, looking at the situation that as at present parties are not residing in suit premises and have sought temporary accommodation somewhere else, instead of going into the merits of the matter at this stage, it would be equitable to direct the trial court to decide the suit expeditiously preferably within a period of three months. It is being submitted on behalf of the plaintiff that pleadings are complete and that he will not protract the litigation.

5. In view of aforesaid, in the facts of the case, I deem it appropriate that the trial court would decide the suit as expeditiously as possible and preferably within a period of three months from today. In case suit is not decided within stipulated period and delay in disposal of the same is not on account of present petitioner and/or he is not responsible for the same, he may explore possibility of seeking reliefs claimed in this writ petition, by making application afresh.

6. With directions as aforesaid, writ petition stands disposed of.

SUNIL P. DESHMUKH, J.

pnd