

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9350 OF 2015

Divadya Bhau Wayale, since deceased
through legal heirs

A. T. Wayale & Ors.

.. Petitioners

vs.

Deepak Vithu Wayale & Ors.

.. Respondents

Mr. Vijay Killedar for Petitioners.

G. S. Rao – AGP for Respondent Nos. 9 and 10.

CORAM : M. S. SONAK, J.

DATE: 23 SEPTEMBER 2015

P.C. :-

1] This petition can be disposed of at this stage itself. Accordingly, Rule. Rule is made returnable forthwith with the consent of and on the request of the learned counsel for the parties.

2] There is no case made out for clubbing of the proceedings in TENANCY/32-G/WASAR/AMMAL/14 and TENANCY/32-G/DAVA/SR/3/15. Such clubbing will not be beneficial to the disposal of the two matters.

3] However, the order dated 14 September 2015 in TENANCY/32-G/WASAR/AMMAL/14 is liable to be modified. The learned Tahsildar shall afford both the parties opportunity of oral

hearing prior to disposing of the proceedings. In addition to the oral hearing, liberty may be granted to the parties to file their written submissions as well. The order dated 14 September 2015 stands modified accordingly.

4] After opportunity of oral hearing is afforded to the parties, the Tahsildar to dispose of the proceedings as expeditiously as possible and in any case within a period of four weeks from the date of such oral hearing. The to parties cooperate with the Tahsildar and not to seek any unnecessary adjournments.

5] It is made clear that this Court has not examined merits of the matter and therefore all contentions of all parties are left open to be decided by the Tahsildar.

6] Rule is made absolute in the aforesaid terms.

7] All concerned to act on basis of authenticated copy of this order.

(M. S. SONAK, J.)

CERTIFICATE

“Certified to be true and correct copy of the original signed Order.”