

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

Writ Petition No.1817 of 2013

(Rajaram Kisan Mehar and others v. Shri Subhashchandrabose s/o Subbarao Vegi
and others)

Office Notes, Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's order

Court's or Judge's orders

Shri P.S. Khubalkar, Advocate for Petitioners.

Shri Shrikant Deo, Advocate for Respondent Nos.1 to 3.

Coram : R.K. Deshpande, J.

Date : 14th September, 2015

The Trial Court has passed an order on 1-12-2012 permitting the defendants-respondent Nos.1 to 4 to file a written statement upon imposing costs of Rs.300/-. The original plaintiffs are, therefore, before this Court challenging this order.

The matter can be disposed of by consent order, which is passed as under :

(1) The defendants-respondent Nos.1 to 4 to pay costs of Rs.25,000/- to the plaintiffs-petitioners, which may be deposited in the Trial Court within a period of two weeks from the date of first appearance of the parties before the Trial Court.

(2) The Trial Court shall permit the plaintiffs-petitioners to withdraw an amount of Rs.25,000/-.

(3) The learned counsel for the plaintiffs-petitioners has given no objection for taking the written statement on record on the aforesaid condition.

(4) If within the stipulated period the defendants-respondent Nos.1 to 4 fails to deposit the said amount, the order impugned dated 1-12-2012 passed by the Trial Court below Exhibits 103 and 106 in Regular Civil Suit No.58 of 2007 shall stand set aside and the applications shall stand dismissed.

(5) The parties to appear before the Trial Court on 28-9-2015.

The petition is disposed of accordingly.

Judge.