

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

WRIT PETITION NO. 12453 OF 2015

Vishnu Ganpat Naik

Since deceased through L.Rs.

1A. Prakash s/o Vishnu Naik and others ... Petitioners

Versus

1. Chindhu Vedu Patil

Since deceased through L.Rs.

1A. Bhimabai Chindhu Patil and others ... Respondents

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Mr. P. D. Bachate, Advocate for petitioners

Mr. Mukul Kulkarni, Advocate for respondents No. 1B, 1C, 1D,
1E and 2

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CORAM : SUNIL P. DESHMUKH, J.

DATE : 07th JULY, 2016

ORDER :

1. Heard learned counsel for the parties.
2. Under an order dated 11/12/2014 in Writ Petition No. 2263 of 2001 this court had directed the present petitioners to carry out amendments within a period of four weeks from the date of order and had further directed the trial court to

dispose of the suit within a period of six months from the date of appearance of the parties.

3. However, the dates for amendments could not be adhered to for the reasons, beyond control of the petitioners and due to some technicalities.

4. The trial court has rejected the application for seeking extension of time to carry out amendments as well as application for amendment under Exhibits No. 102 and 98 respectively, considering that it would not be able to do so.

5. In the circumstances, without going into the merits and demerits being argued on other side, the situation deserves to be resolved by passing order afresh.

6. The amendments are allowed to be carried out within a period of four weeks from the date of receipt of writ of this order and time for the same is deemed to have been extended accordingly for carrying out the amendments, pursuant to order dated 11th December, 2014. Thereafter, the suit be proceeded with expeditiously and preferably dispose of the same within a period of six months.

7. As such, order passed on 11th December, 2014 passed by this court in writ petition No. 2263 of 2001 stands modified accordingly.

8. Writ petition, as such, stands disposed of.

(SUNIL P. DESHMUKH, J.)

sms