

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE JURISDICTION.**

WRIT PETITION NO. 725 OF 2016

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Aniket Ranade for the Petitioner.

**CORAM : K. K. TATED, J.
DATED : 14/06/2016**

PC.:

. Not on board. At the request of Advocate for the petitioner, matter is taken on board for urgent orders.

2 By this petition under Article 227 of the Constitution of India, the petitioner plaintiff challenges order dated 04.12.2015 passed by Civil Judge, Senior Division, Devgad below Exh. 122 in Regular Civil Suit No. 36 of 2010 rejecting the plaintiff's application under Order 26 Rule 9 of Code of Civil Procedure, 1908 for measurement of the suit land.

3 The trial court mainly rejected the plaintiff's application only on the ground that the earlier the plaintiff appointed City Survey Officer for carrying out measurement. This fact is recorded by the trial court in para 4 of the impugned order.

4 considering this fact, I do not find any substance in the present Writ Petition. The suit is of 2010. Hence, the hearing of suit is required to be expedited.

5 Hence, following order is passed:

- a) Writ Petition stands rejected.
- b) Hearing of Regular Civil Suit No. 36 of 2010 is expedited.
- c) Trial court is directed to decide the said suit as early as possible, but in any case, on/or before 31.12.2016.

(K.K.TATED, J.)