

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

APEAL FROM ORDER NO. 27 OF 2017

SMT. TOLIBAI JAISING NAIK, SINCE DECEASED
THROUGH HER L.RS. BHIMRAO JAISING NAIK AND
OTHERS.

VERSUS

MORASINHA RUPA NAIK AND OTHERS

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Advocate for Petitioner : Mr A P Bhandari
Advocate for Respondents 1-4 : Mr S P Brahme

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CORAM : V.K. JADHAV, J.

Dated: August 03, 2017

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PER COURT :-

1. By consent, the Trial Court is hereby directed to dispose off the Special Civil Suit No.104/2001, as expeditiously as possible, preferably within a period of **FOUR (4)** months from the date of receipt of this order, preferably with day to day hearing. The parties shall co-operate the Court. The Court shall report the progress of the suit at the end of every week to the Registrar (*Judicial*) of this Court. The Registrar (*Judicial*) of this Court shall keep the record of the said communication, and, if necessary, place it before the Court for further action, if required.

2. By consent of both the parties, the evidence recorded by the Trial Court in respect of the application at Exh.35, shall be the evidence in the suit and, the parties are also at liberty to adduce additional oral and documentary evidence in support of their rival contentions.

3. Appeal from order is accordingly disposed of. Pending civil application, if any, also stands disposed of.

(V.K. JADHAV, J.)

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