

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

WRIT PETITION NO.5838 OF 2016

Ashok s/o Shankar Boshte
Age 40 years, Occu. Agril.,
R/o Usthal-Khalsa, Tq. Newasa,
District Ahmednagar.

... PETITIONER

VERSUS

1. Babasaheb Trimbak Pawar,
Age 66 years, Occu. Agril.,
2. Ramesh Babasaheb Pawar
Age 40 years, Occu. Agril.,
3. Ganesh Babasaheb Pawar
Age 35 years, Occu. Agril.,

All R/o Usthal-Khalsa, Tq. Newasa,
District Ahmednagar.
4. The State of Maharashtra,
through its Collector,
Ahmednagar.
5. The Executive Engineer,
Jayakwadi Project
Construction Division No.3.,
Garkheda, Aurangabad
6. Ramesh Pandurang Pawar,
Age 45 years, Occu. Agril.,
7. Deepali Kashinath Pawar
Age 25 years, Occu. Agril.,
8. Mangalbai Kashinath Pawar,
Age 50 years, Occu. Agril.,
9. Savita Rajesh Pawar
Age 34 years, Occu. Agril.,

All R/o Usthal-Khalsa, Tq. Newasa,
District Ahmednagar. ... RESPONDENTS

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Shri V.S. Bedre, Advocate for petitioner
Shri S.K. Tambe, A.G.P. for State
Shri N.K. Kakade, Advocate for respondent No.7 to 9
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CORAM: S. B. SHUKRE, J.

DATED: 22nd March, 2017.

ORAL JUDGMENT :

1. Heard. This petition is already admitted for final hearing. However, the parties expressed that, owing to stay granted by this Court to the order dated 11/5/2016, passed by the learned District Judge in Misc. Civil Appeal No.5/2016, the parties are experiencing some difficulties in prosecuting the suit itself although this Court has made it clear that suit may proceed. The parties agree that, if the trial Court is directed to dispose of the suit itself as expeditiously as possible, within a fixed time-frame, the interest of justice shall be served.

2. In view of the above, the trial Court is directed to dispose of the suit within three months from the date of appearance of the parties before it. The parties shall appear before the trial Court on 6th April 2017, on which date, as far as

possible, issues shall be framed and if the issues could not be framed on that date, same shall be framed within a week's time thereafter and then the suit shall proceed as expeditiously as possible, may be on day-to-day basis, in the discretion of the trial Court. The plaintiffs as well as defendants shall co-operate with the trial Court in expeditious disposal of the suit.

3. The stay granted by this Court on 16/6/2016 is vacated and the parties are directed to maintain status quo as of today till final disposal of the suit. No adjournment except for reasons beyond control, shall be granted.

4. Rule is made absolute in the above terms. No costs.

(S. B. SHUKRE)
JUDGE

fmp/