

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

WRIT PETITION NO.8276/2015

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. Abhijeet P. Kulkarni for the petitioner.
Mr. Srivallabh S. Panchpur i/b. SNP Legal for the Respondent Nos.1 and 2.
Mrs. Vaishali Nimbalkar, AGP for respondent Nos.5 to 7.

CORAM : K. K. TATED, J.

DATE : JUNE 12, 2017

P.C.:

1. Heard. After arguing for some time, both the counsel submit that the respondent Nos.1 and 2 had filed Suit No.314/2013 before the Civil Judge, Senior Division Pandharpur, Dist. Solapur for possession, declaration and mandatory injunction. In that suit, the respondent Nos.1 and 2 had made an application for return of plaint. The Civil Judge, Senior Division Pandharpur, by order dated 11.11.2013 below Exhibit- 1 returned the plaint to respondent Nos.1 and 2.

2. Being aggrieved by the said order, respondent Nos.1 and 2 preferred Appeal from Order No.1220/2014 before this court which was

transferred to District Court, Solapur for hearing on merits, because of change of pecuniary jurisdiction, and same was registered as Misc. Appeal No.30/2017 before the Additional District Judge, Pandharpur. Same is pending for hearing and final disposal on merits.

3. By consent of the parties, following order is passed:

a. The Additional District Judge, Pandharpur is directed to decide the Misc. Appeal No.30/2017 on his own merits as early as possible.

b. Ad-interim relief granted by this court (Coram : R. G. Ketkar, J.) on 28.08.2015 to continue till hearing and final disposal of the Misc Civil Appeal No.30/2017 pending before the Additional District Judge, Pandharpur.

c. All contentions of both the parties about possession as well as other issues are kept open. Same to be decided on its own merits by the learned Additional District Judge, Pandharpur in pending appeal.

d. Both the counsel submit that in view of this order, the Writ Petition be disposed of finally. To

that effect, both the counsel for the parties, made an endorsement on a farad. Same is taken on record and marked "X" for identification.

e. Writ Petition stands disposed of in terms of the above order. No order as to costs.

JUDGE