

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 677 OF 2017
WITH
CIVIL APPLICATION NO. 1288 OF 2017

Gurulingayya Kalayya Kolgiri ... Appellant

Versus

Government of Maharashtra and another ... Respondents

Mr.R.S. Alange for the Appellant/Applicant.

Mr.Yogesh Dabke, AGP for the Respondent Nos.1 and 2.

CORAM : S.J. KATHAWALLA, J.

DATED : 7th SEPTEMBER, 2017

P.C.:

1. Mentioned out of turn.
2. By consent of both the parties, following order is passed :
 - (a) The Orders passed by the Trial Court as well as First Appellate Court dated 11.12.2015 and 26.05.2017 respectively are set aside.
 - (b) The matter is remanded back to the Trial Court for a fresh trial. However, the Trial Court shall dispose off the suit within a period of 16 weeks from the date of this order.
 - (c) Parties shall appear before the Trial Court on 11.09.2017 at 11.00 a.m. and obtain necessary directions.
 - (d) The Trial Court shall allow the original Plaintiff to carry out

amendments to the Plaint which the Plaintiff shall do within a period of one week from the date of appearance before the Trial Court on 11.09.2017.

(e) Order of status-quo to continue pending the fresh trial.

3. The above Second Appeal as well as Civil Application are accordingly disposed off.

(S.J.KATHAWALLA, J.)