

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.1603 OF 2017
(Yogeshwari Sugar Industries Ltd., and another Vs. Munjabhau
Rambhau Jadhav and another)
WITH WRIT PETITION NO.1604 OF 2017
WITH WRIT PETITION NO.1605 OF 2017

Mr.A.P.Deshmukh h/f Mr.S.S.Deshmukh, Advocate for the
petitioners.

Mr.S.K.Tambe, AGP for respondent No.2.

Ms.S.M.Jadhav, Advocate for respondent Nos.1, 3 and 4.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 11/12/2018

PER COURT :

1. Both the learned Advocates appearing for the respective sides submit that this Court has decided identical matters by judgment dated 06/02/2016 in the matters filed by the same petitioner/industry, in WP No.1591/2017 to 1593/2017, 1595/2017 to 1598/2017, 1602/2017 and 1607/2017. A similar order has been passed on 14/08/2018 in identical petitions in WP No.1594/2017, 1599/2017, 1600/2017 and 1606/2017.

2. Considering the above, these writ petitions are allowed for the same reasons set out in judgment dated 06/02/2017. The impugned orders are quashed and set aside. The petitioners are permitted to

deposit the costs of Rs.2,000/- (Rs. Two thousand only) within 4 (four) weeks from today and carry out the amendment within 1 (one) week after depositing the costs.

3. The petitioners shall be allowed to adduce evidence within 2 (two) weeks from the date of depositing of the amount of Rs.2,000/- and upon carrying out the necessary amendment, failing which, the petitioners shall forfeit their right to lead evidence.

4. Permission to lead evidence within 2 (two) weeks from depositing the costs is subject to additional payment of costs of Rs.7,000/- (Rs.Seven thousand only) to each of the original plaintiffs, which the petitioners shall deposit with the Trial Court within 4 (four) weeks from the date of this order, failing which, the petitioners would forfeit all their rights granted under this order.

5. The litigating sides shall appear before the Trial Court on 21/12/2018 and the Trial Court shall dispose of the pending suits expeditiously on or before 31/03/2019 keeping in view that all other identical suits have been allowed by the judgment of the Trial Court.

(Ravindra V.Ghuge, J.)