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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.3388 OF 2018

Marathwada Kala Vikas Mahamandal

PETITIONER

VERSUS

Padmavati Ramkrishna Atule

RESPONDENT

.....

Mr. Milind M. Joshi, Advocate for the petitioner

Mr. B. R. Kedar, Advocate for the respondent

.....

[CORAM : SUNIL P. DESHMUKH, J.]

DATE : 25th JUNE, 2018

ORDER :

1. Heard learned advocates for the parties.
2. Looking at that a substantial appeal had been preferred by the petitioner against judgment and decree passed by the trial court, granting decree of eviction in favour of respondent - landlord, it would be expedient that appeal itself is proceeded with expeditiously and is disposed of within a period of three months.
3. Learned advocate for the respondent has no particular objection to aforesaid, if appeal is disposed of within a period of three months.

4. Although application Exhibit-5 in Regular Civil Appeal No. 215 of 2017 is rejected, learned advocate for the respondent, on instructions, has fairly stated that the decree would not be executed for a period of three months from the date of receipt of writ of this order by the appellate court.

5. In view of aforesaid, no orders, in the writ petition are required. Writ petition, as such, stands disposed of with direction to District Judge, Aurangabad before whom the appeal is pending, to proceed with Regular Civil Appeal No. 215 of 2017 filed by the petitioner and dispose of the same within a period of three months from the date of receipt of writ of this order. Paper book, if any, may be supplied by the petitioner within a period of two weeks from the date of receipt of writ of this order by the appellate court and appeal be proceeded with.

[SUNIL P. DESHMUKH, J.]