

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

907 WRIT PETITION NO. 8081 OF 2018

SHRIRAM BHAGWANRAO PATIL
VERSUS
DEVRAO GAYANOJI WAGHMARE AND OTHERS

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Advocate for Petitioner : Shri Bora Satyajit S.
Advocate for Respondents 1 to 6 : Shri Gangakhedkar Shailendra S
Advocate for Respondents 9, 11 to 16 : Shri Patil Hanmant V.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: September 21, 2018

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PER COURT :-

1. I have heard the learned Advocates for the respective sides and have perused the orders passed by this Court (Coram : Sunil P. Deshmukh, J.), dated 7.8.2018 and 5.9.2018.

2. Learned counsel for the respondents submit on instructions that the record does indicate that the impugned order dated 14.12.2017 was passed without hearing this petitioner. It is, therefore, stated that if Exhibit 68, which was so allowed, is restored and is decided within a time frame, this petition can be disposed off by consent of the parties.

3. In view of the above, the impugned order dated 14.12.2017 is quashed and set aside by allowing this petition and Exhibit 68 is restored in MCA (RJE) No.8 of 2016.

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4. All the litigating sides shall appear before the trial Court on 1.10.2018 and shall advance their submissions on Exhibit 68. The trial Court will endeavour to decide Exhibit 68 on/or before 20.10.2018.

5. Needless to state, the order dated 27.4.2018, passed on application Exhibit 72 does not survive and stands set aside with Exhibit 72 being disposed off.

Ajay
Kishanrao
Losarwar

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Losarwar
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(RAVINDRA V. GHUGE, J.)

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