

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

946 WRIT PETITION NO. 13983 OF 2017

HARIDAS JAGOJI CHIMANE
VERSUS
BHAGCHAND ABRAHAM SALAVE DECEASED TH LRS SUNITA
BHAGCHAND SALAVE AND OTHERS

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Advocate for Petitioner : Mr. S. S. Panale
Advocate for Respondents : Mr. S. S. Gangakhedkar

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CORAM : V. K. JADHAV, J.
DATED : 28th MARCH, 2018

PER COURT:-

1. Though learned counsel appearing for the respondents/original plaintiffs has raised the objection however considering the nature of the suit and the fact that because of the impugned order, the petitioner/defendant would be deprived from cross-examining the witness of the plaintiffs and further lead their evidence, I am inclined to allow this writ petition, subject to costs of Rs.5,000/-.

2. Learned counsel for the respondents / original plaintiffs submits that the suit is of the year, 2011 and the trial court may be directed to dispose of the suit as expeditiously as possible.

3. In view of above, I proceed to pass the following order.

ORDER

- I) Writ petition is hereby allowed in terms of prayer clause “B”, subject to costs of Rs.5,000/-, to be paid by the petitioner to the respondents, within three weeks from today.
- II) The trial court is hereby directed to dispose of the suit as expeditiously as possible, preferably within a period of six months from today.
- III) Writ petition is accordingly dispose of.

(V. K. JADHAV, J.)

vsm/