

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3118 OF 2018

Jayvant Ganpat Vichare & Ors.	 Petitioners
V/s.	
Bhanu Kanu Hatankar & Ors.	 Respondents

Mr. Kishor S. Patil for the Petitioners.

Mr. Suresh M. Kamble for the Respondents.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 14TH MARCH 2018.

P.C. :

1. Heard Mr. Patil, learned counsel for the Petitioners, and Mr. Kamble, learned counsel for the Respondents.

2. By this Writ Petition, filed under Article 227 of the Constitution of India, the Petitioners are challenging the order dated 28th February, 2018, passed by the District Judge-1, Ratnagiri, thereby dismissing Miscellaneous Civil Appeal No.5 of 2018. However, the perusal of the order shows that the said order was purported to be below “Exhibit-6”, which was seeking stay to the order passed by the Trial Court below “Exhibit-5” in Regular Civil Suit No.23 of 2013.

3. Considering that this limited prayer was sought in view of the Holi festival and that the Holi festival is already over, the interest of justice would serve, if the hearing of the Regular Civil Suit No.23 of 2013 itself is expedited.

4. Accordingly, the Writ Petition stands disposed of as dismissed; however, hearing of the Regular Civil Suit No.23 of 2013 is expedited.

[DR. SHALINI PHANSALKAR-JOSHI, J.]