

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7527 OF 2017

Mrs.Ratnamala Bapurao Kadam

..... Petitioner

VERSUS

Shivajirao Ramchandra Shinde & Ors.

..... Respondents

Mr.Drupad S. Patil for the Petitioner.

CORAM : R.D. DHANUKA, J.

DATE : 24th SEPTEMBER, 2018

P.C.

By this petition filed under Article 227 of the Constitution of India, the petitioner has impugned the order 18th November, 2016 passed by the learned trial judge rejecting the application (Ex.750) filed by the petitioner (original plaintiff) under section 151 of the Code of Civil Procedure, 1908 inter alia praying for recall of the order passed by the learned trial judge under Order 10 Rule 2 of the Code of Civil Procedure, 1908.

2. The learned trial judge has framed the issues after hearing both the parties. The learned trial judge is directed to comply with the directions issued in the order dated 4th March,2011 for examination of the witnesses by complying with the procedure of the Code of Civil Procedure without any further delay.

3. The parties are directed to co-operate with each other and with the learned trial judge in disposing of the suit which is filed in the year

1997 expeditiously.

4. I am not inclined to interfere with the impugned order passed by the learned trial judge. Writ petition is dismissed with aforesaid clarification. There shall be no order as to costs.

5. The parties as well as the learned trial judge to act on the authenticated copy of this order.

6. The petitioner is directed to convey this order to the respondents as well as to the learned trial judge for compliance.

[R.D. DHANUKA, J.]