

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.9446 OF 2016

Phule Ambedkar Magaswargiya Co-op.
Housing Society Ltd.

.. Petitioners

V/s.

Ramanth Bansilal Golecha and Ors.

. Respondents

Mr.P.B.Shah I/b Mr.K.P.Shah for the petitioners

Mr.P.N.Joshi for the respondent no.1

Mr.Prathamesh B. Bhargude for the respondent nos.2, 3 10 and
12 to 15

CORAM: K.K. TATED, J

DATED : DECEMBER 4, 2018

P.C. :

1 Heard.

2 The learned counsel for the petitioner seeks liberty to delete respondent nos.4 to 9, 11, 13, 14, 16, 17 and 18. Same is permitted. Amendment be carried out during the course of the day.

3 Both the counsel for petitioner and respondent nos.1 and 2, 3, 10 and 12 to 15 submit that matter may be disposed of in terms of Minutes of Order dated 04.1.2.2018. Those Minutes of

Order are taken on record and marked 'X' for identification which reads thus:

"MINUTES OF ORDER"

1. *By consent of the parties the present Petition is disposed of in the following terms:*

- (i) *The Special Civil Suit No. 1249 of 2010 as pending before the learned Civil Judge, Senior Division, Pune may be clubbed and heard along with Regular Civil Suit No. 71 of 2013 as pending before the learned Civil Judge, Junior Division, Pimpri.*

[Except Respondent Nos.1,2,3,10,12 & 15 other respondents are deleted from this writ petition.]

- (ii) *The Regular Civil Suit No. 71 of 2013 as pending before the learned Civil Judge, Junior Division, Pimpri be transferred to the Court of learned Civil Judge, Senior Division, Pune.*
- (iii) *By consent of the parties the Suit as pending before the learned Civil Judge, Senior Division, Pune and the Suit pending before the Civil Judge, Junior Division, Pimpri may be clubbed together and heard finally together by giving opportunity to all the parties in the suit to lead evidence.*

- (iv) *The learned Civil Judge, Senior Division, Pune shall hear and finally decide both the Suits by considering the evidence as recorded in the Suits.*
- (v) *The learned Civil Judge, Senior Division, Pune may be directed to decide the Suits on or before 30th June, 2019."*

4 Writ Petition stands disposed of in terms of minutes of order. No order as to costs.

(K.K. TATED, J.)