

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition NO. 11586 OF 2018

Sangli Zilha Bijotpadak Sahakari Kharedi
Vikri Sanstha Ltd.

...Petitioner

Versus

Shantisagar Trading Company

...Respondent

....

Mr. Wasim N. Samlewale, Advocate for the Petitioner.

....

CORAM : R. G. KETKAR, J.

DATE : 10th OCTOBER, 2018

P.C.

1. Not on board. At the request of Mr. Samlewale, taken up in the production board.

2. Heard Mr. Wasim Samlewale, learned counsel for the petitioner, at length.

3. By this Petition, the petitioner has sought following relief :

“(b) By issuing appropriate writ, order or direction in the like nature of writ of mandamus this Hon'ble Court be pleased to expedite the hearing of the Regular Civil Suit No.64 of 2016 pending on the file of 6th Jt. Civil Judge Junior Division, Sangli and direct to decide the said Civil Suit in time bound manner.”

4. Mr. Samlewale submitted that the dispute is between the licensor and licensee and in view of Section 38 of the Maharashtra Rent Control Act, 1999 (for short, 'Act'), the proceedings under the Act are required to be disposed of as expeditiously as possible and endeavour has to be made to dispose of the case as far as may be practicable within a period of twelve months from the date of service of summons or as the case may be, notice on the defendant. He submitted that the suit is instituted in the year 2016 and till date the same is not disposed of.

5. In view thereof, liberty is reserved to the petitioner to file application inviting trial Court's attention to Section 38 of the Act and prayer may be made for disposing of the suit in a time bound manner. If such an application is made, the learned trial Judge will dispose of the same expeditiously keeping in mind Section 38 of the Act. Petition is disposed of accordingly.

(R. G. KETKAR, J.)

Deshmane (PS)

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signed by
Pradipkumar
Prakashrao
Deshmane
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