

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.7750 OF 2019

NAMDEO GANPAT NAIK THROUGH LRS KUSUMBAI NAMDEO NAIK
AND OTHERS
VERSUS
SUBABAI ALIAS SUBHANDRABAI BABASAHEB PATIL

Mr.Milind Patil, Advocate for the petitioners.

Mrs.V.C.Dharurkar h/f Mr.C.V.Dharurkar, Advocate for the
respondent.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 31/07/2019

PER COURT :

1. This matter was heard for quite some time on 26/07/2019. The learned Advocate for the respondent, who is the main stake holder in RCS No.253/2007 in his capacity of being the plaintiff as well as involved in LAR No.513/2018 and 19/2017, proposed that the 2 LAR proceedings could be adjourned until the suit of 2007 is decided and the moment the suit is decided, the said LAR proceedings can be taken on board for adjudication. The learned Advocate for the petitioners had sought time and hence the matter was posted to this date.

2. The learned Advocate for the petitioners submits on instructions that the petitioners are agreeable to have the suit decided first to be followed by the adjudication in the 2 LAR proceedings.

3. In view of the above, this petition is disposed off with the direction to the learned Trial Court that it shall decide RCS No.253/2007 as expeditiously as possible and preferable on or before 31/03/2020. LAR No.19/2017 and LAR No.513/2018 shall be adjourned till 31/03/2020 or till the suit is decided, whichever is earlier. It be noted that after the suit is decided, the judgment of the Trial Court shall be placed before the LAR Court and those proceedings would then commence. Pendency of any appeal shall not be a ground for adjourning the LAR proceedings at that stage.

(Ravindra V.Ghuge, J.)