

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 7920 OF 2019

**KHUSRAV S/O SAROSH TARAPOREWALA AND ANOTHER
VERSUS
DINYAR FARDOONJI BHAGAT THROUGH L.RS.AND OTHERS**

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Advocate for the Petitioners : Shri S. V. Natu
Advocate for Respondent No.3 : Shri P. V. Mandlik Sr.Counsel
h/f. Shri P. P. Mandlik

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CORAM : RAVINDRA V. GHUGE, J.

DATED : 28th JUNE, 2019.

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PER COURT :

1. This matter was not on board.
2. The learned Advocate for the petitioners expressed a grave urgency and hence the matter was taken on the production board.
3. I have heard the learned Advocate for the petitioners and the learned Senior Advocate on behalf of respondent No.3. Considering the controversy and the fact that this Court has already granted a time frame to the Trial Court to decide CMA No. 17/2013, the following order is being passed by the

consent of the parties :-

- (a) This petition is disposed off.
- (b) The 'no evidence' order passed by the Trial Court on 25/06/2019 shall stand recalled and the petitioners would be at liberty to examine three witnesses as stated.
- (c) The notary would be examined on 02/07/2019 and the cross-examination would be completed within 4 days.
- (d) The second witness would be examined on 08/07/2019 and the cross-examination would be concluded by 12/07/2019.
- (e) The third witness would be examined on 15/07/2019 and the cross-examination would be completed by 19/07/2019.
- (f) All the litigating sides would advance oral submissions and would complete their submissions on or before 31/07/2019.
- (g) The Trial Court would deliver its judgment on or before 31/08/2019.
- (h) Any grievance about interlocutory orders passed in between 29/06/2019 till 31/07/2019, shall not be a ground to any of the litigating sides for prolonging the matter.

(i) They shall refrain from seeking adjournments and extend their fullest cooperation to the Trial Court.

(j) These petitioners undertake to produce their three witnesses.

(RAVINDRA V. GHUGE, J.)

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