

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.9318 OF 2019

SHAIKH KADU SHAIKH RAHIM
VERSUS
THE ADDITIONAL COLLECTOR AURANGABAD AND OTHERS

Mr.K.A.Ingle, Advocate for the petitioner.
Mr.N.T.Bhagat, AGP for respondent No.1.
Mr.N.T.Tribhuwan, Advocate for respondent Nos. 3 and 4.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 16/08/2019

PER COURT :

1. The petitioner seems to be availing of 2 remedies at the same time. On the one hand, a proceeding is filed u/s 23(2) of the Mamlatdar's Courts Act, 1906. Having suffered an adverse order, this petition is filed. On the other hand, RCS No.98/2013 is filed by the same petitioner before the Trial Court. Application Exh.5, seeking temporary injunction, has been rejected and the misc.civil appeal has also been dismissed.

2. In view of the above, this petition is disposed off in view of the pendency of the civil suit. All contentions of the parties shall be kept open for the Trial Court to consider, especially in view of the

statement made by the learned Advocate appearing on behalf of respondent Nos. 3 and 4 that the path has now been cleared and all obstacles have now been removed.

3. On the request of the parties, the Trial Court would endeavour to decide RCS No.98/2013, as expeditiously as possible and preferably on or before 30/03/2020.

(Ravindra V.Ghuge, J.)