

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
CIVIL REVISION APPLICATION NO.150 OF 2017

Chandrabhan Rangnath Raut	]	
through Power of Attorney Holder	]	
Rajendra C. Raut.	]	Applicant
Vs.		
Pushpalata Ramdas Naik	]	Respondent

.....

Mr. V.V. Salunke, Advocate for the Applicant.
Mr. Bhooshan R. Mandlik, Advocate for the Respondent.

.....

CORAM : R.G. KETKAR, J.

DATE : 10th JULY, 2019.

P.C.

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

2. Heard Mr. Salunke, learned Counsel for the applicant and Mr. Mandlik, learned Counsel for the respondent.

3. Mr. Mandlik has invited my attention to the affidavit dated 12th February, 2019 filed by the respondent. In the affidavit, the respondent has conceded for setting aside the impugned judgment and decree dated 14th December, 2016 passed by the learned District Judge, Pune in Civil Appeal No.171 of 2008. Request was further made to expedite hearing of the appeal in a time bound manner.

4. In view thereof, the judgment and decree dated 14th December, 2016 passed by the learned District Judge, Pune in R.C.A No.171 of 2008 is set aside. Civil Appeal No.171 of 2008 along with application Exhibit 69 made under Order-XLI, Rule-27 of the C.P.C is restored to the file of the District Court, Pune. Hearing of the appeal is expedited. Liberty is reserved to the parties to make an application for disposal of the appeal in a time bound manner. If such application is made, the learned District Judge will pass appropriate order keeping in mind the fact that the appeal is of the year 2008. The learned District Judge will also decide the application Exhibit 69 made by the applicant along with the appeal. It is made clear that I have not examined merits of the case. All contentions of the parties in the appeal are expressly kept open. Rule is made absolute in the aforesaid terms with no order as to costs.

[R.G. KETKAR, J.]