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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7301 OF 2019

Shri. Atul Subhash Bhalerao

...Petitioner

vs

Madhusudan Pandurang Shelukar And Ors.

...Respondents

.....

Mr. Girish R. Agrawal, for the Petitioner.

Mr. Rajshekhar V. Govilkar, a/w. Ms. Shaba N. Khan, i/b. Govilkar & Advocates LLP, for Respondent No.1.

.....

CORAM : S.C. GUPTE, J.

DATED: AUGUST 29, 2019

P.C. :

. Heard learned Counsel for the parties.

2. After the matter is heard at some length, it is agreed between learned Counsel for the parties, after taking instructions from their respective clients, that the impugned order dated 12 June 2019 passed on Exhibit-352 in Regular Civil Suit No.916/1997 be set aside and the Petitioner (original defendant no.3A) be allowed to file his written statement and the hearing of the suit may be expedited. Considering the fact that the suit has been filed as of 1997 and evidence has been led by the parties so far as the plaintiff and other defendants are concerned, and that the matter was, at the relevant time, at the stage of arguments, it is in the interest of justice that the suit should be expedited and the trial

court should be directed to decide the same in a time bound manner. In the premises, the order of proceeding ex-parte against defendant no.3A is set aside. Exhibit 352 is allowed. Defendant no.3A shall file his written statement within a period of two weeks from today. The learned Civil Judge, Senior Division, Nashik, hearing Special Civil Suit No.916/1997 is requested to dispose of the suit preferably within a period of six months from filing of the written statement. The writ petition is disposed of accordingly.

Smita
Gonsalves

Digitally signed by
Smita Gonsalves
Date: 2019.09.04
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(S.C. GUPTE, J.)