

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.13433 OF 2018**

Shri. Satish Mallikarjun Patil & Ors. .. Petitioners
Versus
Sou. Rajshree Satish Patil & Ors. .. Respondents

Mr. A.M. Kulkarni for petitioners.

Mr. R.S. Alonge for respondent Nos.1 and 2.

CORAM : K.K. TATED, J.

DATE : 16 JANUARY 2019.

P.C:-

. Heard learned Counsel for the parties.

2. By this writ petition under Article 227 of the Constitution of India petitioner is challenging the order dated 01.09.2018 passed by 5th Joint Civil Judge, Senior Division, Solapur below Exhibit-179 and 181 in Regular Civil Suit No.28 of 2012 rejecting petitioner's application.

3. Learned Counsel appearing on behalf of respondent Nos.1 and 2 submits that trial has began. Plaintiff No.1 and 2's cross-examination is over. Considering these facts and as the suit is of 2012, petition can be disposed of with direction to the trial Court to decide suit itself on its own merits on or before 31.06.2019. Hence, following order :

- a) Writ petition stands dismissed.
- b) Learned Civil Judge, Senior Division, Solapur is directed to decide Regular Civil Suit No.28 of 2012 as earlier possible but in any case on or before 31.06.2019.
- c) All contentions for parties are kept open.

(K.K.TATED, J.)