

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

54 CIVIL APPLICATION NO.2902 OF 2020
IN
WRIT PETITION NO. 3294 OF 2018

JAHIRABEE RAFIQ PATEL TAMBOLI AND OTHERS
VERSUS
JABBAR RASUL TAMBOLI AND OTHERS

WITH
CIVIL APPLICATION NO. 3050 OF 2020
IN
WRIT PETITION NO. 3299 OF 2018

JAHIRABEE RAFIQ PATEL TAMBOLI AND OTHERS
VERSUS
JABBAR RASUL TAMBOLI AND OTHERS

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Advocate for Applicants : Mr. Shaikh Layak S.
Advocate for Respondent No.2 in WPs: Mr. R. R. Bangar
AGP for respondent-State: Mr. A.V. Deshmukh

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CORAM : V. K. JADHAV, J.
DATED : 26th OCTOBER, 2020

PER COURT:-

1. Heard both sides.
2. It appears that L.A.R. No. 521 of 2016 and L.A.R. No. 317 of 2017 are pending before the learned Civil Judge, Senior Division, Osmanabad whereas the Regular Civil Suit No. 140 of 2015 between the parties is pending before the learned Civil Judge, Junior Division at Kallamb.
3. In the order dated 18.11.2019, though this Court directed the learned Civil Judge, Senior Division, Osmanabad to dispose of the pending L.A.R. Nos. 521 of 2016 and 317 of 2017 as expeditiously

as possible preferably within a period of eight months from the date of the said order. However, it appears that unless and until the said Regular Civil Suit No. 140 of 2015 is clubbed with pending references, the aforesaid direction in the order dated 18.11.2019 cannot be implemented effectively.

4. In view of above, para 2 of the order dated 18.11.2019 is modified to the following effect:-

“2. In view of the above submissions, the learned Principal District Judge, Osmanabad shall transfer the Regular Civil Suit No.140 of 2015 pending before the Civil Judge, Junior Division, Kallamb, District Osmanabad for disposal alongwith L.A.R. Nos. 521 of 2016 and 317 of 2017. Upon transfer of the said R.C.S. No. 140 of 2015, learned Civil Judge, Senior Division, Osmanabad is hereby directed to dispose of the R.C.S. No. 140 of 2015 alongwith L.A.R. Nos. 521 of 2016 and 317 of 2017 as expeditiously as possible preferably within eight (08) months from the date of this order.”

5. With the above modification, civil applications are disposed of.

(V. K. JADHAV, J.)