

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

920 WRIT PETITION NO.8625 OF 2015

SHARAD BHAGAJI PALODKAR THROUGH GPA DEEPAK BHAGAJI
PALODKAR
VERSUS
DHANRAJ DATTATRAYA DHORMARE AND OTHERS

.....
Advocate for Petitioner : Mr. Palodkar Devdatt P.
Advocate for Respondents : Mr. R.L. Chabda i/b M/s. Legal United Law
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CORAM : V. K. JADHAV, J.
DATED : 6th FEBRUARY, 2020

PER COURT:-

1. Heard both sides.
2. It appears that though the compromise pursis was not actually placed before the Court, however, admittedly the compromise talks were going on between the parties and as a result thereof, the written statement could not be filed in time. The dispute relates to immovable property and in view of the same, the petitioner-defendant No.4 should get one more chance to contest the suit on merits. The suit is of the year 2013. Therefore, the trial court can be directed to decide the suit expeditiously. In view of the same, I proceed to pass the following order:-

O R D E R

- I. Writ petition is hereby allowed.

- II. The impugned order dated 27.1.2015 passed by the Joint Civil Judge, Senior Division Aurangabad below Exh.22 in Special Civil Suit No. 263 of 2013 is hereby quashed and set aside.
- III. The application Exh.22 is allowed in terms of its prayer clause in its entirety subject to payment of costs of Rs.5000/- to be paid by the petitioner to the respondents-plaintiffs within a period of two weeks from today, before the trial court.
- IV. The trial court shall dispose of the suit bearing Special Civil Suit No. 263 of 2013 as expeditiously as possible, preferably within a period of one year from today.
- V. Writ petition is disposed of.

(V. K. JADHAV, J.)

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