

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 4795 OF 2017

(Devidas Laxmanrao Thakare and anr..vs.. Mahadeo Shankarrao Hood & anr.)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

CORAM: RAVINDRA V. GHUGE, J.

DATE: 15th JANUARY, 2020.

1. None for the petitioners. None appeared for the petitioners even on 14.1.2020.

2. None appears for the respondents.

3. The petitioners original defendants in Regular Civil Suit No. 31/2002, are aggrieved by the order dated 2.2.2017, passed by the appellate Court by which application Exh. 25, in Regular Civil Appeal No. 36/2013, has been allowed and the petitioners are restrained from disturbing the possession of the appellant over the suit property.

4. The above stated interlocutory order has been passed almost three years ago. At least, on six occasions, this matter has been adjourned and the petitioner has not worked out this petition. The Farad Sheet indicates that the learned Advocate for the petitioners used to remain absent on several occasions.

5. Rather than dismissing the petition in default, ends of justice would be met, in my view, if the pending appeal is directed to be decided within a time frame.

6. In view of the above, this petition is disposed off.

7. The appellate Court shall decide Regular Civil Appeal No. 36/2013, as expeditiously as possible and preferably, on or before 30.4.2020.

(Ravindra V. Ghuge, J.)