

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 9369 OF 2017**

Chandadevi Jagadish Solonkhe Petitioner.

V/s

Surendra Shankar Jangam & Anr. Respondents.

Mr.Drupad S. Patil a/w Mr. H.S. Khokhawala i/b Nankani Associates
for the Petitioner.

Mr. Sandeep S. Koregave for Respondent No.1.

Mr. Prashant P. Kulkarni for Respondent No.2.

CORAM: NITIN W. SAMBRE, J.

DATE: FEBRUARY 15, 2021

P.C.:-

1] Mr. Drupad Patil, learned Counsel for the Petitioner submits that even if the order passed below Exhibit-25 in RCS No. 126 of 2016 is kept in abeyance till beginning of recording of cross-examination of the Plaintiff, his purpose will be served.

2] The above submission appears to be based on catena of reported judgments of this Court.

3] The learned Counsel for the Respondents submits that the order will help the court in deciding the issue of encroachment which is

raised in the suit.

4] Be that as it may, Petition can be disposed of with the following order.

5] The order passed below Exhibit-25 be not given effect to till cross-examination of the Plaintiff commences in the suit referred to above.

6] Petition stands disposed of accordingly.

(NITIN W. SAMBRE, J.)