

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.1415 OF 2020

Suvarna Sahadeo Patil
Through PoA Sahadeo A. Patil .. Petitioner

Vs.

Hamid Babalal Munde & Ors. .. Respondents

ALONG WITH
WRIT PETITION NO.1416 OF 2020

Suvarna Sahadeo Patil
Through PoA Sahadeo A. Patil .. Petitioner

Vs.

The Collector, Dist. Sangli & Ors. .. Respondents

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Mr. Tejpal S. Ingale with Mr. Nikhil N. Pawar for the petitioner.

Mr. Amit Sale for respondent No.1 in Writ Petition No.1415 of 2020 and for respondent No.4 in Writ Petition No.1416 of 2020.

Mr. A.P. Vanarse and Ms. V.S. Nimbalkar, AGPs for the State.

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CORAM : SMT. BHARATI DANGRE, J.

DATED : 25TH NOVEMBER, 2021.

P.C:-

1. The petitioner is aggrieved by the concurrent findings recorded against him by the courts below and upholding the order, below Ex-36 by recording that the plaintiff has failed to prove her prima facie case nor the balance of convenience is in her favour.

2. Heard learned counsel for the petitioner and learned counsel for the contesting respondent. In the wake of the consensus of the parties, I do not think it necessary to hear the Revenue Authorities, who are also parties to the writ petition. Considering the nature of the proceedings and since the plaintiff has been refused an injunction by the original order dated 23/07/2019, which has been upheld in miscellaneous civil appeal on 31/12/2019 and the position being continuing since then, the parties state that they would be satisfied if the Regular Civil Suit No.74 of 2019 is concluded by the Civil Judge, Senior Division, Islampur, within a period of one year.

3. The respective counsel assures the court that they would render their co-operation in culmination of the proceedings in the said suit and would avoid unnecessary adjournments and, protracting tactics shall not be adopted. Recording the aforesaid undertaking, learned Civil Judge, Senior Division, Islampur, is requested to make an endeavour to dispose of Regular Civil Suit

AJN

No.74 of 2019 within a period of one year from today. With the aforesaid observation, I do not deem it fit to interfere with the impugned order. The orders are confirmed. Both the writ petitions are dismissed.

[SMT. BHARATI DANGRE, J.]