

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7154 OF 2021**

Shivaji Dagadu Tengale & Anr. ... Petitioners

Vesus

Paraji Namdev Tengale & Ors. ... Respondents

Mr.S.S.Shah i/b. Mr. A.P.Deshmukh for the Petitioners.

Mr.V.B.Tapkir for Respondent Nos. 1 and 2.

Mr.S.B.Kalel, AGP for the State.

CORAM : S.J. KATHAWALLA, &

MILIND N. JADHAV, JJ.

DATE : 26TH OCTOBER, 2021

P.C. :

1. Heard the learned Advocates appearing for the parties and the following

Order is passed :

i. We are informed by the learned Advocates for the parties that the Civil Judge, Junior Division, Daund has already heard the Application being Exhibit-97 and is also in the process of hearing the Application filed by the Petitioner seeking permission to harvest the sugarcane and send it to the factory and maintain accounts qua the same. Needless to add that the final Order/s passed in the said Application will be binding on the parties.

ii. The hearing of Regular Civil Suit No. 349 of 2015 is expedited and the same shall be disposed off by the Civil Judge, Junior Division, Daund within a period

of six months from the date of this Order.

iii. The Additional Collector, Pune shall hear Appeal being RTS No. 318 of 2019 filed by the Petitioners within a period of four weeks from today. Before passing an Order, the Additional Collector, Pune shall hear all concerned parties and / or their Advocates. Parties shall appear before the Additional Collector, Pune on 29th October, 2021 at 12.00 noon and obtain necessary orders.

iv. The Civil Judge, Junior Division, Daund as well as the Additional Collector, Pune shall not grant any adjournment to the parties unless absolutely necessary.

v. All contentions of the parties are kept open.

vi. A copy of this Order shall be forwarded to the Civil Judge, Junior Division, Daund as well as the Additional Collector, Pune to ensure compliance of this Order.

2. The above Writ Petition is accordingly disposed off. Writ Petition No. 7846 of 2019 also stands disposed off.

(MILIND N. JADHAV, J.)

(S.J. KATHAWALLA, J.)