

P.C:-

1. The two writ petitions being tagged together purport to challenge the two different orders passed in the same suit. The order passed by the District Judge on 27/05/2015 in Misc. Civil Appeal No.37 of 2015 is the subject matter of challenge. By the said order, the appeal has been allowed and the application below Ex-5 was granted.

2. In Writ Petition No.1077 of 2017, the petitioners have challenged the order dated 25/10/2016 passed by the District Judge, Raigad in Misc. Civil Appeal No.85 of 2016, under which the appeal has been dismissed and the order passed by the Civil Judge, Junior Division, Murud on 16/07/2016 is confirmed.

3. Both the writ petitions arise out of Regular Civil Suit No.11 of 2015 and on perusal of the order passed by the Principal District Judge, Raigad on 27/05/2015, it can be seen that while allowing the appeal, certain directions were issued to the Civil Judge, Senior Division, Murud to conclude the proceedings in the suit expeditiously and within a time bound programme. Down the line, despite passing of the order dated 27/05/2015, the suit has not culminated and is kept pending, the obvious reason being the two writ petitions instituted in the year 2017 and, on account of the pendency of the writ petitions, the parties did not prefer to proceed with the suit.

4. The parties are not very sure whether the issues have been settled in the said suit. Assuming that they are not, since the suit is pending for the last six years and is revolving around a right of way, it required an expeditious disposal. Since the respective counsel for the parties are in agreement that the suit requires an expeditious disposal and they shall render their cooperation to learned Civil Judge, Junior Division, Murud, who is seized of the Regular Civil Suit No.11 of 2015 and since they undertake that they will render their cooperation for the expeditious disposal of the suit and shall not seek unnecessary adjournments, the suit can be disposed of within six months from today. It is also informed that the original defendant No.1 has expired. The parties shall take necessary effective steps forthwith. Since the counsel for the respective parties have given their commitment to this court on behalf of the original plaintiff and the defendants, the learned Civil Judge, Junior Division, Murud is requested to finally decide the Regular Civil Suit No.11 of 2015 on or before 30/05/2022.

5. The writ petitions stand disposed of in the aforestated terms.

[SMT. BHARATI DANGRE, J.]