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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.3175 OF 2019

SAROJ DILIP GANDHI
VERSUS
NILESH SUBHASH CHOPADA AND OTHERS

...

WITH
WRIT PETITION NO.3173 OF 2019

DILIP MANSUKHLAL GANDHI
VERSUS
SAIDEEP CARS PRIVATE LTD. THROUGH DIRECTOR

...

WITH
WRIT PETITION NO.3176 OF 2019

DEVENDRA DILIP GANDHI
VERSUS
SAIDEEP AUTOMOBILES PRIVATE LTD. THROUGH
DIRECTOR

...

WITH
WRIT PETITION NO.3174 OF 2019

SUVENDRA DILIP GANDHI
VERSUS
SAIDEEP CARS PRIVATE LTD. THROUGH DIRECTOR

...

Mr S. P. Shah, Advocate for petitioners
Mr A. D. Ostwal, Advocate for respondents

CORAM : SMT. BHARATI DANGRE, J.

DATE : 1st February, 2022

PER COURT:

1. Heard the learned Counsel for the petitioners. The four writ petitions at Sr. No.937 of the board are disposed of in the wake of the statement made by the learned Counsel for the respondents appearing for respondents in all these four writ petitions.

2. In order to arrive at the said conclusion, the background involved in the aforesaid writ petitions when perused, would reveal that in the year 2012, the petitioner in Writ Petition No.3175/2019, namely, Saroj Gandhi instituted a Special Civil Suit No.144/2012 for redemption of mortgage and consequential relief of reconveying the property. In the year 2013, respondent in the other three writ petitions, being Saideep Cars Private Ltd., Through it's Director, instituted three Special Civil Suits based on the three different cheques issued by the respective defendants. On issues being framed in all the suite, the Trial Court, on 16/10/2015 directed that all the three suits filed in the year 2013 shall be tried with Special Civil Suit No.144/2012. Thereafter, an application came to be moved praying for consolidation of the four suits so as to avoid multiplicity of the evidence and the issues settled in all four suits were claimed to be same and overlapping

(3)

each other. This application for consolidation of the suits came to be rejected, which resulted in filing of these four writ petitions.

3. In this background of all the facts involved in the four writ petitions, the learned Counsel for the respondent makes a statement that he shall withdraw the three Special Civil Suit Nos. 48/2013, 51/2013 and 52/2013 and be undertake to take steps forthwith, seeking withdrawal of the said suits by bringing the application before the concerned Court.

4. In the wake of the withdrawal of the three suits, the relief sought in the petitions, whereby the prayer for consolidation of the aforesaid suits along with Special Civil Suit No.144/2012, does not survive.

5. In the wake of the above, all the four writ petitions are disposed of.

Since it is noted that Special Civil Suit No.144/2012 for redemption of mortgage is pending since year 2012, it requires expeditious disposal. The learned Court trying the said suit is directed to culminate the proceedings therein, within a period of one year from today.

(4)

Needless to state that the parties shall render their co-operation to the learned Judge in disposing of the said suit in the above time frame.

(SMT. BHARATI DANGRE, J.)

sjk