

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

954 WRIT PETITION NO.3885 OF 2013

**TRIMBAK SITARAM ALIAS SITYA MUNESHWAR
VERSUS
VASANT UNDRAJI ALIAS UNDRYA MUNESHWAR AND OTHERS**

...
Advocate for Petitioner : Mr. Uday S. Malte

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CORAM : SANDEEP V. MARNE, J.

DATE : 24-11-2022

PER COURT :

. By this petition, petitioner has challenged order dated 16.02.2013 passed by Civil Judge Junior Division, Mahur below Exh.86 in RCS No.63 of 2008 thereby rejecting the plaintiff's - petitioner's application for appointment of Court receiver in respect of the suit property. The application is rejected observing that the suit property is in possession of defendant no.3 for a long time. A finding of the fact is recorded that plaintiff is not in possession of the suit property. Considering the fact that the application for appointment of court receiver is rejected 9 years back on 16.02.2013, there is no reason to entertain the present petition for examining correctness of the order passed by the trial court. Instead a request can be made to trial Court to expedite the hearing of the suit. Accordingly, the writ petition is dismissed.

2. The Civil Judge Junior Division, Mahur is requested to expedite the hearing of the suit and make an endeavour to decide the same as expeditiously as possible, within a period of one year from today.

(SANDEEP V. MARNE, J.)

GGP