

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

940 WRIT PETITION NO.10236 OF 2019

**LATA ASHOK TATHE
VERSUS
MANNU DHARAMVEER AGRAWAL**

...

WITH

WRIT PETITION NO.10232 OF 2019

**SUBHASH RAMBHAU RAUT AND ANOTHER
VERSUS
MANNU DHARAMVEER AGRAWAL AND OTHERS**

...

In both the matters :

Advocate for Petitioners : Mr. Amol K. Gawali
Advocate for Respondent Nos.1 & 2 : Mr. S.P. Salgar h/f.
Mr. N.V. Gaware

...

CORAM : SANDEEP V. MARNE, J.

DATE : 19-10-2022

PER COURT :

. By the present petitions, the petitioners have challenged the order dated 18.06.2019 passed by the 3rd Jt. Civil Judge, Senior Division, Ahmednagar thereby allowing the application of the plaintiffs below Exh.293. By that order, the agreement dated 13.07.2001 along with admitted signatures of defendant no.2 are directed to be sent to the government handwriting expert for his opinion.

2. The suit is for specific performance of the agreement dated 13.07.2001. The plaintiffs assert that the agreement bears signature of defendant no.2, whereas the defendant no.2 in her written-statement denied having executed the agreement. In these circumstances, the trial Court has directed the signatures appearing on the agreement dated 13.07.2001 to be compared with the admitted signatures of defendant no.2 by government handwriting expert. In my opinion, such a course of action adopted by the trial Court would aid it in deciding the issue about the execution of agreement dated 13.07.2001 by defendant no.2 or not.

3. I do not find any error being committed by the trial Court in allowing application by order dated 18.06.2019. The writ petitions are accordingly dismissed. However, considering the fact that the suit is of the year 2003 and the same is at the stage of final arguments, the trial Court is requested to expedite the hearing of the same and make an endeavour to decide the same as expeditiously as possible, preferably within a period of six months from today.

(SANDEEP V. MARNE, J.)

...