

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

WRIT PETITION NO.8176 OF 2014

SHAIKH MEHMOOD SHAIKH DAGDU MANIYA
AND OTHERS

..PETITIONERS

VERSUS

ISAMUDDIN AENUDDIN AND OTHERS

..RESPONDENTS

...

Mr. S. S. Kazi, Advocate for the Petitioners.
Mr. S. N. Boiwar h/f Mr. M. K. Deshpande, Advocate
for Respondent Nos.1 and 3.

...

CORAM : S. V. GANGAPURWALA, J.

DATED : 14th JANUARY, 2022.

PER COURT:-

1. Heard Mr. Kazi, learned counsel for petitioners and Mr. Deshpande, learned counsel for respondents.

2. The present petitioners have filed Suit bearing Regular Civil Suit No.43/2011 for injunction against respondent nos.1 to 5. The present respondents filed Suit bearing Regular Civil Suit No.56/2013 for possession of the same area of which present petitioners have sought injunction in Suit RCS No.43/2011.

3. The present petitioners have filed application for stay of further proceedings in RCS No.56/2013. The said application is rejected. Aggrieved thereby, the present petition.

4. It would appear that, the subject matter of both the Suits is same. The parties to the Suits are also same. It would be in the interest of justice to avoid conflicting orders and for that purpose it is desirable that both the Suits are decided simultaneously.

5. It is submitted that, both the Suits are pending at Raver though in different Junior Division Courts.

6. The learned Principal District Judge, Jalgaon shall direct that, both the Suits to be placed before one Court. Thereafter, Court where both the Suits viz. RCS No.43/2011 and 56/2013 are placed shall decide both the Suits simultaneously.

7. With the aforesaid observations and directions, writ petition is disposed of. No costs.

(S. V. GANGAPURWALA)
JUDGE