

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

9 WRIT PETITION NO.14352 OF 2021

INDRAVANI PRALHADRAO BORKAR
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Petitioner : Mr. P. A. Bharat h/f Mr. Mane D. A.
AGP for Respondent/s-State : Mr. S. R. Yadav-Lonikar.
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**CORAM : RAVINDRA V. GHUGE, AND
S. G. MEHARE, JJ.**

DATE : 28.02.2022

PER COURT :-

1. The petitioner has put forth prayer clause “B” as under :

“B. Writ petition may kindly be allowed, the proceeding bearing Regular Civil Appeal No.33 of 2019 pending before the learned Adhoc District Judge-1, Jalna preferred by the Respondent No.2 may kindly be directed to decide as expeditiously as possible.”

2. When called upon, the learned advocate for the petitioner conceded that the petitioner has not even made a single application before the concerned Appellate Court to take up his appeal for final hearing, out of turn, as she is a 76 years old widow and respondent No.2-opponent is a 70 years old

person. The learned advocate for the petitioner submits that the petitioner is willing to prepare the private appeal paper book within one (1) week and would tender it to the Court.

3. Considering the innocuous prayer put forth, we are not issuing notice to respondent No.2, who is the appellant in the appeal before the Appellate Court.

4. This petition is disposed off with the following observations :

(a) The petitioner shall file a private appeal paper book, on or before 15.03.2022 before the learned Adhoc District Judge-1, Jalna in Regular Civil Appeal No.33 of 2019.

(b) Extra set of the appeal paper book shall also be supplied so as to enable the appellant before the Court to receive the copy within one (1) week from the date of filing.

(c) In view of the above, we would request the Appellate Court to decide Regular Civil Appeal No.33 of 2019, as expeditiously as possible

preferably, on or before 30.04.2022.

(S. G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)

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vmk/-