

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.14493 OF 2021

JAYSHREE SHAM DIGHE
VERSUS
VASANT NAMDEO CHOUDHARI AND ANOTHER

...
Advocate for Petitioner : Mr. Rahul A. Tambe
Adv for Respondents : Adv. Shubham Patil h/f. Mr. Shinde Kailas B.

...
CORAM : PRITHVIRAJ K. CHAVAN, J.

DATE : 01st APRIL, 2022.

PER COURT :

1. The petition can be disposed of, with the consent of learned counsel for the parties, by issuing the following directions :-

- [i] The impugned orders dated 28.9.2021 (below Exh. 14) and dated 10.11.2021 (below Exh.15), passed by the Civil Judge Junior Division, Rahata, are set aside.
- [ii] The respondents/defendants are directed to file written statement within 15 days from today.
- [iii] Learned Judge shall frame issues and commence with the trial without granting unnecessary adjournments. The parties shall cooperate in disposing of the suit expeditiously.
- [iv] Till the disposal of the suit, the parties shall maintain status-quo in respect of the suit property.

[v] It is pertinent to note that both the order dated 28.09.2021 and 10.11.2021 passed by the concerned court, do not reveal whether those orders are passed by the Judge or someone else as the learned Judge has not endorsed his designation below the signature. Even before this court, no certified copy of the said order has been placed on record, which would unnecessarily create complications. Moreover, the hand written orders passed below Exh.15 and Exh.14 the same are not legible. Typed copy annexed by the petitioner at Page 27A is not complete in the sense, certain portions are kept blank as the counsel could not understand as to what had been written by the learned Judge.

[vi] Registry is directed to inform the concerned Judicial Officer to be careful in writing, signing and mentioning his designation below the orders.

2. Petition stands disposed of in aforesaid terms.

(PRITHVIRAJ K. CHAVAN, J.)

grt/-