

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.1217 OF 2022
IN
WRIT PETITION NO.5290 OF 2019**

Shri. Rajendra G. Patil & Anr through POA Mrs. Sheela R. Patil	 Applicants
IN THE MATTER BETWEEN	
Shri. Rajendra G. Patil & Anr through POA Mrs. Sheela R. Patil	 Petitioners
Versus	
Smt. Vimla Mehta (since deceased) Through Lrs. & Ors.	 Respondents

Ms. Sheela Patil appearing in-person.
None for the Respondents.

CORAM : NITIN W. SAMBRE, J.

DATED : 20th AUGUST, 2022

P.C.:

1. Heard the applicants/original defendants.
2. The Judge of the Small Causes Court has sought extension vide request dated 19/03/2022, as this Court had made the R.A.E. & R. Suit No. 1538/5049 of 1983 & R.A.E. Suit No. 449/860 of 2006 time bound.
3. It appears from the report that the present applicant is dealing with the cross examination of the witness in the suit initiated in the year 2006. The Judge of the Small Causes Court

has specifically mentioned that both the aforesaid suits are connected and suits are being heard on the same date.

4. In the aforesaid background, the prayer moved by the defendants in Civil Application cannot be granted as regards dismissal of the suit of the 2006 or stay the said suit.

5. The Civil Application stands rejected.

6. The report forwarded by the Judge of Small Causes Court on 19/03/2022 is taken note of. The judge of small Causes Court is permitted to proceed with the hearing of both the suits.

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(NITIN W. SAMBRE, J.)