

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

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Date: 2022.06.09
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WRIT PETITION NO.6230 OF 2022

Saira Aziz Shaikh & Ors.

.. Petitioners

Versus

The Masjid Baner & Ors.

.. Respondents

Mr. Shrinivas Bobde a/w Ms. Priyanka Chavan a/w Ms. Deepali Kedar
i/by Mr. Sagar Kursija for the petitioner.

**CORAM : ROHIT B. DEO, J.
DATE : 7th JUNE 2022**

P.C.:-

1. The limited grievance of the petitioners/plaintiffs is that despite the attempts of the plaintiffs to persuade the Court to pass a coercive order against the defendants, who are refusing to file written statement, the learned trial Judge has simply adjourned the hearing from time to time.

2. It is submitted that the suit is filed in 2018 and on 6.1.2022, the trial Court adjourned the hearing for twenty two times and granted one more opportunity to the respondents to file written statement. It is further submitted that since then, the hearing is adjourned thrice without the defendants filing written statement and yet, the matter is simply adjourned to 25.7.2022.

3. Considering the grievance, it would not be necessary to issue notice to the respondents and the petition can be disposed of by observing that the petitioners/plaintiffs may prefer a formal application bringing on record the facts narrated in the present petition and such application shall be decided either way by the learned trial Judge within seven days. Application shall be preferred by the plaintiffs within next seven days if necessary by taking the case on board after giving advance intimation to the defendants.

4. Petition is disposed of.

ROHIT B. DEO, J.