

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

**CIVIL APPLICATION NO. 4593 OF 2021
IN
WRIT PETITION NO. 7205 OF 2011**

Shaikh Husen Shaikh Haider
Since deceased through his L.Rs.
Shaikh Pasha Shaikh Husen
and others

.. Applicants

Versus

Hamidoddin @ Hafijoddin Bashiroddin
Since deceased through L.Rs.
Amenabegum Mohammad Hamidoddin
@ Hafijoddin and others

.. Respondents

Mr. Rahil Kazi, Advocate h/f Mr. P. R. Katneshwarkar, Advocate for the Applicants.

Mr. G. R. Syed, Advocate for Respondent Nos. 4/1 to 4/4.

Smt. A. N. Ansari, Advocate for Respondent No. 4/5/a.

Mr. H. I. Pathan, Advocate for Respondent.

Mr. G. D. Kale, Advocate for Respondent No. 4/6.

CORAM : KISHORE C. SANT, J.

DATED : 27th JUNE, 2023.

P C. :-

. This application is filed by the original petitioner in Writ Petition No. 7205/2011 for de-linking the Writ Petition No. 6680/2011 with Writ Petition No. 7205/2011. It is submitted that since the petitioners in Writ Petition No. 6680/2011 are not taking steps the same be shown as unready even the Writ Petition No. 7205/2011 is not taken up for

admission.

2. It is the fact that, both the petitions are arising out of the same judgment and order and therefore, this Court finds that, it would be proper to hear both the petitions together. However, at the same time, the concern of the applicants also needs to be considered as because of non taking steps in Writ Petition No. 6680/2011, the same is also kept pending and is not being taken up.

3. This Court finds that, in spite of de-linking the petitions it would be proper to direct the petitioners in Writ Petition No. 6680/2011 to take steps and to see that the said writ petition becomes ready for hearing within a period of eight (08) weeks from today.

4. If the steps are not taken the Court will think of passing necessary orders including dismissing the petition for want of prosecution.

5. With this, the civil application stands disposed off.

(KISHORE C. SANT, J.)

PS.B.