

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

919 WRIT PETITION NO.13283 OF 2022

**TULSHIRAM VISHWANATH BAGLANE AND OTHERS
VERSUS
BALBHIM LAXMANRAO JAHER PATIL**

...
Advocate for Petitioners : Mr. Santosh S. Jadhavar

...
CORAM : SHARMILA U. DESHMUKH, J.

DATE : 06-01-2023

PER COURT :

- . Heard the learned counsel appearing for the petitioners.
2. The petitioners are aggrieved by the order dated 04.11.2022 passed by the trial Court in an application filed under the Order-VII, Rule 11 (a) and (d) of the Code of Civil Procedure (hereinafter in short 'CPC') whereby the trial Court dismissed the application of the petitioners.
3. By the said application, the petitioners – Orig. defendant nos.1, 3 to 10 had sought an expeditious hearing of the suit which was filed in the year 2012 and in the alternative prayer was made for dismissal of the suit under Order-VII, Rule 11 (a) and (d) of the CPC. By the impugned order, the trial Court held that the suit cannot be rejected under Order-VII, Rule 11 (a) and (d) of the CPC.

4. After hearing for some time, the learned counsel for the petitioners seeks to restrict his prayer only for the expeditious disposal of the suit. The suit is of the year 2012 and the issues are already framed and the suit is now fixed for the evidence of the plaintiff. Considering that the suit is of the year 2012 and the submission of the petitioner is that the prejudice is being caused due to public notice which has been issued by the respondent – plaintiff in respect of the suit property, it would be in the interest of justice if the trial Court is directed to decide the suit expeditiously. Hence the following order is passed.

ORDER

(i) The trial court is directed to decide the suit expeditiously, preferably within a period of six months from the date of this order.

. With the aforesaid direction, Writ petition is disposed of.

(SHARMILA U. DESHMUKH, J.)