

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

905 WRIT PETITION NO.14937 OF 2019

Vijaykumar Bhikamchand Jain, **...PETITIONER**

VERSUS

Bhikamchand Raghunath Jain, **...RESPONDENT**

Mr. B. K. Patil, Advocate for the petitioner

Mr. M. S. Kulkarni, Advocate for the respondent

CORAM : KISHORE C. SANT, J.

DATE : 18th JULY, 2023

P. C.

1. This matter was heard extensively by this court on 11-07-2023. It was adjourned to ascertain whether there is a chance of settlement between the parties looking to the nature of the property and to explore the possibility of settlement.

2. Today, both the learned advocates submit that no settlement is possible between the parties.

3. However, there are subsequent events that have

taken place during pendency of the appeal pending before the learned Senior Citizens Tribunal i.e. Sub-Divisional Officer, Shirpur and those are necessary now.

4. Looking to the fact that even this petition is pending since 2019, it would be proper if the authorities apply their mind afresh in view of such subsequent events and to pass fresh order.

5. Parties are at liberty to give fresh pleadings and to produce such material which would be considered by the authorities below.

6. In view of this, both the orders challenged in this petition stand quashed and set aside.

7. Learned Senior Citizens Tribunal i.e. the learned Sub-Divisional Officer, Shripur is requested to decide the matter afresh within a period of two months from today.

8. With this, writ petition stands disposed off.
9. Parties to appear before the Learned Senior Citizen Tribunal i.e. the learned Sub-Divisional Officer, Shripur on 24-07-2023 by carrying out the the amendment in the matter only in respect of subsequent event.

[KISHORE C. SANT, J.]

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