

VRJ

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

WRIT PETITION NO.3098 OF 2022

VAIBHAV
RAMESH
JADHAV
Digitally signed by
VAIBHAV RAMESH
JADHAV
Date: 2023.12.20
11:16:44 +0530

Dnyandeo Govind Shendge

... Petitioner

V/s.

Dhondiba Satoba Ahiwale

... Respondent

Mr. Milind Deshmukh for the petitioner.

Mr. Rajaram V. Bansode with Ms. Sheetal M. Ubale for
the respondents.**CORAM : AMIT BORKAR, J.****DATED : DECEMBER 19, 2023****P.C.:**

1. The impugned order is passed on 17th November 2021. The said position is in force for last two years. Therefore, without expressing any opinion on merits of the claim raised by the parties, it would be in the interest of justice that the Trial Court be directed to decide the suit on merits. Such direction would be in the interest of both parties as questions in relation to rights of parties to way is involved. Hence, the trial Court is directed to decide Regular Civil Suit No.555 of 2020 within six months from today.

2. It is made clear that no application for extension of period of six months shall be entertained.

3. The writ petition stands disposed of in above terms. No costs.

(AMIT BORKAR, J.)