

SA Pathan

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

WRIT PETITION NO.11731 OF 2023

Popat Ramchandra Jadhav

... Petitioner

V/s.

Sushila Balkrishna Chavan

... Respondent

SHABNOOR
AYUB
PATHAN

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Mr. Kuldeep U. Nikam, for petitioner.

Mr. Ranjeet H. Patil, for respondents.

CORAM : AMIT BORKAR, J.

DATED : SEPTEMBER 25, 2023

P.C.:

1. The writ petition is by defendant No.9 (subsequent purchaser) in a suit for partition separate possession and injunction and declaration.
2. In the said suit the co-sharer filed an application against the present petitioner alleging that the petitioner being subsequent purchaser is not entitled to exclusive possession ousting other co-sharer from their rights over the suit property. Both the Courts have granted the application.
3. It appears that the application was filed in the year 2018. Since 18 July 2019, there is order of status quo granted by the Appellate Court. The said order is in force till today. Therefore, it would be in the interest of justice that the order of status quo to be

continued during pendency of the suit. The Trial Court is directed to decide the suit as expeditiously as possible. Hence, following order is passed:

- a) The order of status quo granted on 18 July 2019 shall continue during pendency of suit.
- b) Considering the facts of the case, the Trial Court is directed to decide the Regular Civil Suit No.87 of 2018 as expeditiously as possible within one year.

4. The writ petition stands disposed of.

(AMIT BORKAR, J.)