

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 1463 OF 2017**

Neelkanth Suresh Shinde

.. Petitioner

Versus

Yamuna Vasant Shinde and Ors.

.. Respondents

WITH**WRIT PETITION (ST.) NO. 21526 OF 2015**

Neelkanth Suresh Shinde

.. Petitioner

Versus

Kaiyoze B. Bilimoriya and Ors.

.. Respondents

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- Mr. Purushottam G. Chavan for Petitioner
 - Mr. Kishor Patil i/by Mr. Shrikant D. Patil for Respondent No.83 in WP 1463/2017 and Respondent No.1 in WP(St.) 21526/2015
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CORAM : MILIND N. JADHAV, J.**DATE : FEBRUARY 14, 2023.****P.C.:**

1. Heard learned Advocates for the parties.
2. Perused the orders passed by this Court at the interim stage there is no substantive order which would otherwise govern the rights of the parties. The original suit namely R.C.S. No. 543 of 2011 has been filed before the 23rd Joint C.J.J.D., Pune and the same is pending as on date.
3. Record indicates that the order passed below Exh.5 was challenged before the District Judge in Appeal. The Appellate Court

rejected the challenge and the same is now challenged in the present Writ Petition. Eight years have passed since then. Hence, it would be in the interest of justice if the learned Trial Court is directed to decide the pending suit i.e. R.C.S. No. 543 of 2011 as expeditiously as possible.

4. The learned Trial Court is directed to decide the said suit within a period of 12 months from today without being influenced by any of the observations made in the Exh.5 order as also any observations made by learned District Court in Appeal which deciding the suit.
5. With the above observations, Writ Petition is disposed.
6. All contentions of both parties are expressly kept open.

[MILIND N. JADHAV, J.]

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