

SA Pathan

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

WRIT PETITION NO.11493 OF 2023

Kashinath Rakhamaji Shinde ... Petitioner

V/s.

Dhanaji Rakhamaji Shinde & Ors. ... Respondents

SHABNOOR
AYUB
PATHAN

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Mr. Hemant P. Ghadigaonkar, for the Petitioner.

CORAM : AMIT BORKAR, J.

DATED : SEPTEMBER 11, 2023

P.C.:

1. The petitioner challenging order passed in exercise of power under Section 24 of the Code of Civil Procedure, 1908.
2. According to the petitioner, three suits i.e. Special Civil Suit No.659 of 2022, 944 of 2017 and 997 of 2017 have different prayers and need not be tried together.
3. Considering the pleadings in the suit, in my opinion, the writ petition can be disposed of by directing the Trial Court that the issues and evidence in each suit shall be independent, but the same Judge can proceed with the decision of all three suits.
4. With this clarification, the writ petition stands disposed of.
No costs.

(AMIT BORKAR, J.)