

Ajay

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6539 OF 2017

Amol Yashwant Tupe	.. Petitioner
Versus	
Prakash Baburao Tupe	.. Respondent

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- Mr. Tejas D. Deshmukh a/w. H.D. Chavan and Mr. Sagar Kursija, Advocates for Petitioner.
 - Mr. Hemant Ghadigaonkar, Advocate for Respondent.
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CORAM : MILIND N. JADHAV, J.

DATE : FEBRUARY 27, 2023.

P.C.:

- 1.** Heard Mr. Deshmukh, learned Advocate for Petitioner and Mr. Ghadigaonkar, learned Advocate for Respondent for sometime.
- 2.** The grievance in the present Writ Petition is in respect of Application filed under Section 10 of the Civil Procedure Code, 1908.
- 3.** Both learned Advocates are *ad idem* that Special Civil Suit No.396 of 2014 is for partition of 8 properties whereas subsequent Regular Civil Suit No.155 of 2016 is filed with respect to simplicitor injunction in respect of one particular property out of 8 properties which are subject matter of the earlier suit.
- 4.** Both Civil Suits are filed before the learned Civil Judge Junior Division, Pune. At the joint request of both the learned Advocates for parties, the learned Trial Court is requested by this

Court to hear both the aforesaid Suits together and decide them strictly in accordance with law. Considering that the Suits are pending since long, the learned Trial Court is directed to dispose of both Civil Suits within a period of 12 months from today.

5. With the above directions, Writ Petition is disposed.

[MILIND N. JADHAV, J.]

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