

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 6930 OF 2019

Ganesh Balkrushna Jibhkate and ors __ Vs. __ Harshdas Rooprao Jibhkate

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S. Alaspurkr, Advocate petitioners
Mr. Nandesh Deshpande, Advocate for Respondent.

CORAM : AVINASH G. GHAROTE, J.
DATE : 10/01/2023

1] Both the learned counsel for the parties are *ad idem* that the petitioners in the present petition i.e Ganesh Balkrushna Jibhkate and others are in possession of Gat No. 569, admeasuring 3 acres and the Respondent Harshdas Rooprao Jibhkate is in possession of Gat No.570, admeasuring 9 acres. There are counter suits, RCS No. 275/2015 filed by the present petitioners against the respondent and RCS No. 265/2015 filed by the respondent against the petitioners, both in respect of the aforesaid properties and involve a boundary dispute.

2] The learned counsel for the parties are *ad idem* that the judgment of the Appellate Court in Misc. Civil Appeal No. 52/2019, dated 19.8.2019 be maintained and the suit be directed to be decided expeditiously, on their own merits without being influenced by any of the observations made either in the

order below Exh.54 or in the judgment dated 19.8.2019 in Misc Civil Appeal No.52/2019.

3] Accepting this position, the petition is disposed by directing the Trial Court to decide both the suits as expeditiously as possible and in any case within the period of 18 (eighteen) months from today, subject to no unnecessary adjournment being sought by either party and without in any way getting influenced by the order below Exh. 54 or the judgment dated 19.8.2019 in Misc. Civil Appeal No. 52/2019. No costs.

JUDGE

Rvjalit