

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7218 OF 2023

Kundalik Balwant Jorwar

.. Petitioner

Versus

Balwant Bhagwan Jorwar and Ors.

.. Respondents

-
- Mr. Prabhakar M. Jadhav, Advocate for Petitioner.
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CORAM : MILIND N. JADHAV, J.

DATE : MARCH 26, 2024

P.C.:

- 1.** Mentioned. Not on Board. Taken on Board.
- 2.** Heard Mr. Jadhav, learned Advocate for Petitioner.
- 3.** Perused the praecipe dated 26.03.2024.
- 4.** In the present case, order dated 12.08.2014 is passed below Exhibit-5 by the Trial Court in Regular Civil Suit No.130 of 2014 which has been reversed by the learned District Court in Miscellaneous Civil Appeal vide order dated 19.01.2023.
- 5.** Mr. Jadhav in his usual fairness would inform the Court that suit is for partition between the family members of the same family. He would submit that Plaintiff had enjoyed injunction and restraint order against Defendants for more than 9 years. However he would submit that without opining on merits of the impugned order of the District Court, if this Court is pleased to pass order for expeditious disposal of Regular Civil Suit within a time bound programme, it will

enure to the benefit of all parties. This suggestion made by Mr. Jadhav is fair and appreciated by the Court.

6. Learned Trial Court is directed to dispose of Regular Civil Suit No.130 of 2014 as expeditiously as possible and in any event within a period of six months from today. Parties to the suit are directed by this Court not to seek adjournments and the learned Trial Court shall not give any unnecessary adjournments to the parties unless absolutely necessary. It is clarified that the learned Trial Court shall not be influenced by order passed below Exhibit-5 as also order passed by District Court while determining the suit and suit shall be determined in accordance with law and strictly on merits.

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

H. H. SAWANT

[MILIND N. JADHAV, J.]

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