

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7340 OF 2023
WITH
WRIT PETITION NO. 7342 OF 2023

Manikrao Lalaso Mohite

.. Petitioner

Versus

Baban Bandu Thorat & Ors.

.. Respondents

WITH
WRIT PETITION NO. 7346 OF 2022
WITH
WRIT PETITION NO. 15189 OF 2022

Baban Bandu Thorat & Ors

.. Petitioners

Versus

Manikrao Lalaso Mohite & Ors

.. Respondents

-
- Mr. Dilip Bodake for Petitioner in WP/7340/2023 & WP/7342/2023 & for Respondents in WP/7346/2022 & WP/15189/2022
 - Mr. Vaibhav R. Gaikwad for Respondent Nos. 1 to 3 WP/7340/2023 & WP/7342/2023 & for Petitioners in WP/7346/2022 & WP/15189/2022
 - Mr. Shubham Jangam i/by Mr. Girish Agarwal for Respondent in WP/7346/2022

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CORAM : MILIND N. JADHAV, J.

DATE : MARCH 6, 2024

P. C.:

1. Heard learned Advocates for the parties.
2. Parties have filed Minutes of Order dated 01.03.2024 which are signed by learned Advocates appearing for the parties. I have perused

the Minutes of Order and on reading the same, it is seen that there can be no impediment in taking the said Minutes of Order on record for disposal of the present Writ Petitions. Minutes of Order is running into pages. They are taken on record and marked "X" for identification. For the purpose of reference and convenience, they are scanned and reproduced below:-

Handwritten: 6/3/2024

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7340 OF 2023
DISTRICT SATARA

Manikrao Lalasa Mohite Petitioners.

-: VERSUS :-

Babhan Banda Thorat and ors. Respondents.

MINUTES OF ORDER
Coram:- Milind Jadhav, J
Date:- 1.03.2024

1. Both parties agree that Regular Civil Suit No. 145 of 2018 and Regular Civil Suit No. 852 of 2021 pending before Civil Judge Junior Division, Karad shall be decided together on its own merits without being influenced by any of the observations and findings recorded by the Trial Court as well as Appellate Court in its orders and the same shall be disposed of within a period of 6 months from the date of production of the order.

2. Both parties agree to maintain status quo in respect of their respective holdings in the suit property as on date until the determination of both the suits.

3. The Trial Court while deciding both Suits, shall take common evidence in both the suits which shall be part of both suits.

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4. The parties have arrived at these terms and conditions without prejudice to their respective rights and contentions.
5. In view of above Writ Petition No. 7340 of 2023, Writ Petition No. 7342 of 2023, Writ Petition 7346 of 2022 and Writ Petition No. 15189 of 2022 are disposed off.

~~1. Affidavit~~
[Adv for Petitioner]

Adv. for Respondent.
No. 1 to 3

3. Parties shall be bound by the rights and obligations as stated in the Minutes of Order until determination of both the Suit proceedings which are directed to be heard together by the 5th Civil Judge Junior Division, Karad.

4. It is clarified that both the Suits shall be heard by 5th Civil Judge Junior Division Karad in view of the fact that at present both the Suits

are being heard separately by different Courts. Learned Civil Judge is requested to take common evidence in both the Suit proceedings and decide the same within a period of six months from today strictly in accordance with law. Parties shall co-operate with the learned Trial Court and not take any unnecessary adjournments unless absolute necessary.

5. Order in terms of the Minutes of Order

6. In view of the above, Writ Petition Nos. 7340 of 2023, 7342 of 2023, 7346 of 2022 and 15189 of 2022 are disposed.

Amberkar

[MILIND N. JADHAV, J.]

Digitally
signed by
RAVINDRA
MOHAN
AMBERKAR
Date:
2024.03.06
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