

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

WRIT PETITION NO. 14313 OF 2024

Agatrao Keshav Pawar

... Petitioner

vs.

The Brahan Maharashtra Sugar
Syndicate Ltd. & Ors.

... Respondents

Mr. B. A. Lawate :	Advocate for Petitioner.
Mr. R. D. Phade :	Advocate for Respondent No.3.

CORAM : S. M. MODAK, J.

DATE : 3rd DECEMBER 2024

P. C. :-

1. Heard learned Advocate for Petitioner/ Plaintiff and learned Advocate for Respondent No. 3/ Purchaser from the Defendants No.1 and 2. The Court has already framed issues and the Plaintiff has completed his evidence and cross-examination also. Now, Suit is for recording of further evidence, if any. Defendant No.3 filed an Application for framing of additional issue. The trial Court has framed following issue (Page 97):

“Do Plaintiffs prove that they were and are a tenant of the suit property?”

2. After that the trial Court has referred the issue to Tenancy Court.

This order is challenged by the Petitioner/ Plaintiff.

3. Issue notice before admission to Respondents No.1 and 2 returnable on 3rd February 2025.

4. Respondent No.3 waived notice.

5. The Petitioner is at liberty to ask for adjournment from the trial Court and to seek the postponement of implementation of the impugned order. The trial Court to consider it positively.

[S. M. MODAK, J.]

KISHOR
VISHNU
KAMBLE

Digitally signed
by KISHOR
VISHNU
KAMBLE
Date:
2024.12.06
11:18:40 +0530