



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

Writ Petition No.2787 of 2024
SURYABHAN KACHARU KHOBRAGADE AND OTHERS
VS
SITADEVI HARIWANSI BHATTAD

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri A.B. Moon, Advocate for the Petitioner/s

CORAM : ANIL S. KILOR, J.
DATE : 29.04.2024

1. Heard.
2. In this petition, the order dated 10.10.2017, passed below Exh.1 by the Principal District Judge, Gadchiroli in Regular Civil Appeal No.28 of 2016, directing the trial Court to try the issues framed by the First Appellate Court as regards limitation and further the findings recorded by the trial Court, in pursuance to the order dated 10.10.2017, are under challenge.
3. The petitioners have not explained the huge delay of about seven years in challenging the order dated 10.10.2017. Moreover, the trial Court acted upon the same and recorded the findings on 30.01.2024.
4. Thus, in absence of any explanation to raise challenge to the order dated 10.10.2017 for seven years, I am not inclined to entertain the present writ petition for the reason of delay and laches.

5. As far as the findings recorded by the learned trial Court in pursuance to the order dated 10.10.2017 are concerned, the petitioners have every opportunity to point out to the learned First Appellate Court, if the findings are erroneous or perverse.

6. In that view of the matter, there is no merit in the present writ petition. Accordingly, it is **dismissed**.

[ANIL S. KILOR, J.]