



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

Writ Petition (WP) No. 4818 of 2024

Jamil Hussain Baibani S/o Mohd. Abid Hussain Biabani

Versus

Shri Mohd. Abid Hussain S/o Abdul Rahman Biabani (through Shri
Yusuf Hussain Biabani S/o Mohd. Abid Hussain Baibani)

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

Court's or Judge's Order

Shri Jamil Hussain Baibani in person.

Shri M. Anilkumar, Advocate for the respondent
no.6.

CORAM : N.R.BORKAR, J.

DATED : 29th NOVEMBER, 2024.

This petition takes exception to the orders dated 11th June, 2024 passed by the Civil Judge, Senior Division, Chandrapur below Exhibit Nos. 279 and 287 in Regular Civil Suit No. 355 of 2004.

2. By the impugned order passed below Exhibit 279 trial Court has allowed the application for amendment to the written statement and by order passed below Exhibit 287 the trial Court has rejected the application filed by the present petitioner/plaintiff to delete additional issue No.2(d).

3. After arguing the matter for some time, when the petitioner was asked to show the pleading in written statement, time is sought to file the copy of written statement on record. The suit is of the year 2004 and I am told this Court in the year 2019 has directed the trial Court to decide the suit within six months. I am therefore constrained to vacate the interim order passed by this Court dated 21st August 2024. The trial Court shall proceed with the suit.

4. List the petition on **9th January, 2025.**

[N.R.BORKAR, J.]