

Ajay

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2197 OF 1988
WITH
CIVIL APPLICATION NO. 869 OF 2017
WITH
CIVIL APPLICATION NO. 6857 OF 1993
WITH
CIVIL APPLICATION (ST) NO. 5636 OF 1997
IN
WRIT PETITION NO. 2197 OF 1988

Basvanappa Apparao Kilaje .. Petitioner
Versus
Raju Gangaram Bansode
Since decease through Legal Heirs and Ors. .. Respondents

WITH
WRIT PETITION NO. 2192 OF 1988
WITH
CIVIL APPLICATION NO. 868 OF 2017
WITH
CIVIL APPLICATION NO. 1139 OF 2002
WITH
CIVIL APPLICATION NO. 1138 OF 2002
IN
WRIT PETITION NO. 2192 OF 1988

Basvanappa Apparao Kilaje .. Petitioner
Versus
Raju Gangaram Bansode
Since decease through Legal Heirs and Ors. .. Respondents

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- Mr. Ronak Utgikar, Advocate h/for Tejas D. Deshmukh for Respondent Nos.2 and 5.
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CORAM : MILIND N. JADHAV, J.
DATE : JUNE 26, 2025.

P.C.:

- 1.** Heard Mr. Utagikar, learned Advocate for Respondent Nos.2 and 5.
- 2.** This is a group of two Writ Petitions filed in the year 1988 which have remained pending. They were dismissed and Civil Applications were taken out by the Petitioner for restoration of the Writ Petitions.
- 3.** In that regard, Advocate for Petitioner drew my attention to two Civil Applications namely Civil Application Nos.1138 of 2002 and 1139 of 2002. However, copies of those Civil Applications are not on record and file of the Court neither the Advocate has those copies.
- 4.** In that view of the matter, Petitioner was constrained to file two further Civil Application Nos.868 of 2017 and 869 of 2017. Those copies are available on the record and file of the Court. Having perused the said Applications, for the reasons stated therein the order of dismissal of both the Writ Petitions is quashed and set aside. Both Civil Application Nos.868 of 2017 and 869 of 2017 are allowed.
- 5.** Both Writ Petitions are restored to the record and file of the Court.
- 6.** It is *prima facie* seen that there are 5 Annexures in both the Writ Petitions and all 5 Annexures are identical. In so far as Writ

Petition No.2192 of 1988 is concerned, Petitioner filed only memo of the Petition. However, in Writ Petition No.2197 of 1988 is concerned, the order of the ALP and SDO in Appeal are appended to the Petition.

7. Learned Advocate appearing for Petitioner is directed by the Court to immediately construct the brief and place the constructed copy of the brief before Court or next date to enable to determine the present Writ Petitions.

8. At the request of Mr. Utagikar, reasonable time is given to him to comply with this order. Place the Writ Petitions on Board on **25th July 2025** at his request for hearing and disposal.

9. In view of the above, it is directed that Civil Application Nos.868 of 2017 and 869 of 2017 are also disposed.

10. Civil Applications No.1138 of 2002 and Civil Application No.1139 of 2002 stand disposed.

[MILIND N. JADHAV, J.]

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