

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

WRIT PETITION NO. 19354 OF 2024

Sharad Sakharam Deshpande ...Petitioner

Versus

Suresh Dattatray Khandekar ...Respondent

Ms. Milan Ravul, h/f Aditya Desai, for the Petitioner.

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**CORAM: N. J. JAMADAR, J.
DATED: 28th JANUARY, 2025**

PC:-

1. Heard the learned Counsel for the petitioner.
2. The petitioner is stated to be 87 years of age. The prayer in the petition is to quash and set aside an order dated 21st June, 2016 passed by the trial court purportedly under Order XXXIX of the Code of Civil Procedure, 1908. In addition, the petitioner has prayed for a time-bound disposal of Special Civil Suit No.127 of 2013.
3. So far as the prayer for quashing of the order dated 21st June, 2016, it appears the petitioner has not availed the statutory remedy. The said prayer cannot be considered in this petition.

4. As regards prayers for expeditious hearing, since the petitioner claims to be 87 years of age, the petitioner is at liberty to file an application before the trial court for expeditious hearing and disposal of the suit.

5. In the event such an application is filed, the trial court shall consider the said prayer favourably and hear and decide the suit as expeditiously as possible.

6. Petition disposed.

[N. J. JAMADAR, J.]