



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (CAW) No.2460 OF 2024
IN
WRIT PETITION No.796 OF 2024

(Shri Bhaiyyaji s/o. Narayanrao Dhoble (dead), through LRs. And others Vs. Vijay s/o.
Narayan Dhoble and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. U.A. Gosavi, Advocate for petitioners.
Mr. H.R. Gadhia, Advocate for respondent Nos.1 and 2.
Mr. Prashant Vaidya, Advocate for respondent No.3.
Mr. K.P.Mahalle, Advocate for respondent No.5.

CORAM : R.M. JOSHI, J.
DATE : 10th JULY, 2025.

1. Civil Application stands allowed, in view of the no objection recorded by the counsel for the respondent.

WRIT PETITION No.796 OF 2024.

1. Counsel for both sides are heard for some time.
2. Counsel for both sides consent that the order impugned be maintained and that the petitioners be permitted to be joined as defendants in R.C.S. No.183/2019. Learned counsel for the respondents/plaintiffs in R.C.S. No.183/2019 records consent of his client who is present before this Court.
3. Counsel for both sides submit that it would be in the interest of parties that both suits i.e. R.C.S. Nos.183/2019 and 55/2019 are decided by one Court. In view of this, the Principal District Judge, Nagpur is requested to transfer R.C.S. No.183/2019 to the Court 7th Joint Civil Judge, Junior Division,

who is seized of R.C.S. No.55/2019.

4. The trial Court is directed to ensure that both suits are decided simultaneously but not by common evidence and common judgment.

5. This Court is informed that R.C.S. No.55/2019 is at the stage of evidence. In any case suits are almost five years old. Hence, trial Court is requested to dispose of both suits at the earliest and in any case within a period of one year from today.

6. Petition is disposed of in above terms.

(R.M. JOSHI, J.)