



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

917 WRIT PETITION NO. 8000 OF 2024

VINAYAK DATTU KSHIRSAGAR AND OTHERS
VERSUS
SEENABAI ANIL MANE

...

Mr. Abhijit Choudhari, Advocate for the Petitioners

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CORAM : AJIT B. KADETHANKAR, J.

DATE : 07.03.2026

PER COURT :-

. The suit for partition and separate possession bearing Regular Civil Suit No.58 of 2015 is pending in the Court of learned Civil Judge Senior Division, Nilanga. The plaintiff and defendant Nos.2, 3 and 4 are the children of defendant Nos.1 and 5. As such the sister has filed the suit for partition and separate possession against her parents and the siblings.

2. Mr. Abhiji Choudhari, learned counsel for the petitioners, submits that the plaintiff has already closed her evidence and the defendants have also adduced their evidence, which has been closed by the Court. However, defendant No. 5, i.e., the present petitioner No. 5, remained absent to prosecute her case, and therefore her evidence came to be closed by the learned Civil Judge, Senior Division. Aggrieved thereby, the petitioners/original defendants have approached this Court. On a query made by the Court, Mr. Choudhari, learned counsel for the petitioners, submits that the trial Court has proceeded further and the matter has been kept for arguments for the last one and a half years. The record reveals that the writ

petition was filed way back in the year 2024 and there is no interim relief operating in favour of the petitioners. The suit remained unproceeded for no good reason. There was no stay to the suit proceeding.

3. Today, Mr. Choudhari, learned counsel for the petitioners submits that he has been informed by the learned counsel for the respondent, through telephonic communication, that he is unable to attend the court proceedings.

4. Stand over to 13.03.2026.

[AJIT B. KADETHANKAR, J.]

PRW