

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1686 OF 2026

Parsharam Totamal Sukheja (Since Deceased) ...Petitioner
Through Legal Heirs

Versus

The State of Maharashtra & Ors ...Respondents

Adv Khushboo Goklani, h/f Robin Palthiya, for the Petitioner.
Smt. M.S. Srivastava, AGP, for the Respondent-State.

CORAM: N. J. JAMADAR, J.

DATE : 28th APRIL 2026

ORAL ORDER:

1. Heard the learned Counsel for the Petitioner.
2. On 17th April 2025 in Writ Petition No. 4363 of 2025, a Division Bench of this Court has passed following order:

“ 1. This petition under Article 226 of the Constitution of India is filed praying for the following substantive relief:-

“a. That this Honourable Court be pleased to direct that Special Civil Suit no. 130 of 2010 (Special Civil Suit) pending on the file of the Ld. Civil Judge, Senior Division be decided within a period of 6 months or within such period as this Hon’ble Court deems fit and proper in the facts and circumstances of the case.”

2. We are not aware as to what is the docket of the Court before whom the proceedings are pending, however, if there is

any urgency of an early hearing, we permit the petitioners to move an application for expeditious hearing of the civil suit which be filed within a period of two weeks from the copy of this order is made available. If the same is filed, learned Civil Judge, Junior Division shall take into consideration the same and pass appropriate orders deciding whether there is urgency in deciding the proceedings in the pending docket of civil suits.

3. With such liberty to the petitioner, we dispose of this petition keeping open all contentions of the parties in the proceedings of the civil suit.”

3. The learned Counsel for the Petitioner, on instructions, submits that pursuant to the aforesaid directions, the Petitioner filed an Application for expedite hearing of the Suit on 8th May 2025. However, the said Application has not yet been decided by the Trial Court.

4. Since this Court has granted liberty to the Petitioner to file an Application for expeditious hearing, the Trial Court ought to have decided the said Application expeditiously. At any rate, the suit was instituted in the year 2010. More than 15 years have elapsed.

5. The learned Civil Judge is thus directed to pass an appropriate order in accordance with law on the Application (“Exhibit 67”) preferred by the Petitioner-Plaintiff, in terms of the order passed by this Court on 17th April 2025, as expeditiously as possible and, preferably, within a period of four weeks from the date of communication of this order.

6. Petition disposed.

[N. J. JAMADAR, J.]