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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.9178 OF 2015

Haribhau Dagdue Vidhate & Others

PETITIONERS

VERSUS

Prabhakar Haribhau Bhongle & others

RESPONDENTS

.....

Mr. Shailesh S. Chapalgaonkar, Advocate for the petitioners

Mr. P. B. Shirsath, Advocate for respondent No.3

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[CORAM : SUNIL P. DESHMUKH, J.]

DATE : 8th SEPTEMBER, 2015

ORDER :

1. Heard learned advocates for the appearing parties.
2. The petitioners are before this court against an ultimate rejection of their interim injunction application by the appellate court.
3. It appears that after taking stock of the situation, the trial court as well as the appellate court have ruled against the plaintiffs - petitioners and refused to grant interim injunction.
4. The appellate court has given reasons in paragraphs No.21 to 24 of the impugned order as to how the appeal could not be

entertained in favour of appellants - plaintiffs - petitioners. The reasons given are based on material that was available on record. The appreciation cannot be termed as perverse, at this stage.

5. Under the circumstances, I am not inclined to interfere with the concurrent findings arrived at by the trial as well as appellate court. The writ petition as such, is not being entertained and stands rejected.

6. At this stage, learned advocate for the petitioners makes a request for direction for early disposal of the suit itself since issues have already been framed. The other side also does not have dispute over this position and appears to be inclined towards acceptance of said request. In the circumstances, the trial court may proceed with the suit expeditiously and decide the same as far as possible within a period of a year from the date of receipt of writ of this order. Writ petition, stands disposed of.

[SUNIL P. DESHMUKH, J.]