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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.10232 OF 2015

Shivnath Bhau Garje & Another

PETITIONERS

VERSUS

Mohan Nivrutti Garje & Another

RESPONDENTS

.....

Mr. Satyajit S. Bora, Advocate for the petitioners

Mr. G. K. Naik-Thigale, Advocate for respondent No.1

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[CORAM : SUNIL P. DESHMUKH, J.]

DATE : 21st OCTOBER, 2015

ORDER :

1. After hearing learned advocates for the parties, the position emerges that interim relief granted under an order on Exhibit-5 during pendency of the suit had been continued over a period of five years and the same came to be vacated on 3rd August, 2015 when the defendants' Miscellaneous Civil Appeal No.91 of 2012 came to be allowed by District Judge-3, Beed.

2. The suit is of 2010. Learned advocates fairly refer to that pleadings are complete. Learned advocate for the defendants refers to that issues have already been framed and in fact the plaintiff is under cross examination.

3. It appears from the impugned order passed by District Judge -3, the suit has been directed to be disposed of within four months from the date of receipt of order dated 3rd August, 2015 and already two months thereafter have lapsed.

4. In the circumstances, the situation can be met with by directing the parties to maintain *status quo* in respect of the suit property, which is stated to be a government property.

5. As such, writ petition is not being considered on merits and is being disposed of by directing the parties to maintain *status quo* in respect of the suit property and that the suit be proceeded with in accordance with the directions given by District Judge - 3, Beed on 3rd August, 2015.

[SUNIL P. DESHMUKH, J.]