

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

APPEAL FROM ORDER NO. 6 OF 2015
AND
CIVIL APPLICATION NO. 1849 OF 2015

Subhash Ganpat Taware and anr. .. Appellants/
Applicants

Vs.

Ramesh Shivaji Borude .. Respondent

WITH
APPEAL FROM ORDER NO. 7 OF 2015
AND
CIVIL APPLICATION NO. 1851 OF 2015

Veernath Sampat Jarad and anr. .. Appellants/
Applicants

Vs.

Subash Shivaji Borude .. Respondent

Mr. Amol K. Gawali, Advocate for appellants/applicants in
both matters

Mr. A.D. Ostwal, Advocate for respondent in both matters

CORAM : M.T. JOSHI, J.
DATE : 07/07/2015

ORAL ORDER :

Heard both sides.

2. Both sides submit that instead of hearing present proceedings, the present appeal from orders can be disposed of on the direction that the original plaintiff deposits the balance consideration as pleaded

by him in the trial Court within a period of four (4) weeks, which shall be invested by the trial Court in the Term Deposit Receipt automatically renewable, till the decision of the suit. Disbursement of the said amount shall be subject to the final decree passed in the suit. Further, the present order of injunction without prejudice to the right, interest or claim of the present appellants regarding merit of the same shall be continued for a period of three (3) years from the date of this order.

3. Both the appeal from order stand disposed of in terms of the above submissions. The learned trial Court is directed to take efforts for disposal of the civil suit on its own merits within a period of three (3) years. If the trial Court would be unable to decide the suit within a period of three years, then the present appellants/appellant would be at liberty to apply for variation of the impugned order of injunction.

4. With these directions, both the Appeal from Order as well as both the Civil Applications are disposed of without any order as to costs.

5. Any interim application, if any, filed by either of the parties, shall however be decided on its own merits by the trial Court.

[M.T. JOSHI]
JUDGE

arp/