

pmw

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3808 OF 2015**

Chandrakant Daulatrao Zunjarrao

... Petitioner

Vs.

Civil Judge Senior Division (Shree Mangale Judge) and Ors. ... Respondents

Mr. Yogesh Dabke, for the Respondent.

**CORAM : A.S. OKA & A.P BHANGALE, JJ
DATED : 13th APRIL, 2015**

PC.:

. **Not on board. Taken on board.**

. Heard the learned counsel appearing for the Petitioner.
The first prayer in this Petition is for a direction to the learned Civil Judge, Senior Division at Kalyan to decide the pending application made by the Petitioner at Exhibit-5.

2. If the Petitioner wants his application to be disposed of expeditiously, it is for him to move the concerned Court before which the application is pending. Only the concerned Court before which the application is pending can decide whether priority deserves to be given to the application at Exhibit-5. The learned counsel appearing for the Petitioner invited attention of the Court to the applications at Exhibits

17 and 38. If ad-interim relief is not granted by the Trial Court on those Applications and merely orders directing the Respondents to file reply are passed, the remedy of the Petitioner is to challenge the said orders declining to grant ad-interim relief.

3. Therefore, this Petition under Article 226 of the Constitution of India cannot be entertained. However, it will be open for the Petitioner to make an application before the Trial Court for giving priority to hearing of the application at Exhibit-5. If such application is made, the Trial Court shall decide the same as expeditiously as possible in accordance with law.

(A.P BHANGALE, J)

(A.S.OKA, J)