

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7273 OF 2008

Smita S. Sane
& Others

.. Petitioners.
(Orig. Plaintiffs)

V/s.
Maruti V. Jori
& Another

.. Respondents.

Mr. S. S. Kanetkar, for the Petitioner.
Mr. Sandeep V. Marne, for Respondent No.1.

CORAM: M.S.SONAK,J.

DATE : 27th MARCH, 2015.

PC:-

This Petition challenges the orders dated 16th June, 2008 and 4th July, 2008 by which the Petitioner was declined interim reliefs by the Trial Court and the Appeal Court, respectively.

2 Notice was issued in this Petition on 23rd November, 2008 and in the meantime, the parties were directed to maintain status-quo. Even after issuance of Rule, the status-quo was continued and there is no dispute that said status-quo order was in operation till today.

3 In this view of the matter, no purpose would be served in examining the merits or demerits of the impugned orders. Instead, the interests of justice would be met if the learned Civil Judge, Senior Division, Pune is directed to expeditiously dispose of the Regular Civil Suit

No.416 of 2008 along with the Counter Claim raised therein. Accordingly, the learned Civil Judge, Senior Division, Pune is directed to dispose of the said Civil Suit and the Counter Claim therein as expeditiously as possible and in any case within a period of six months from today. During pendency of the suit, the status-quo order granted by this Court on 23rd October, 2008 shall continue to operate.

3 It is made clear that this Court has not examined the merits of the matter and accordingly, it shall be open to the learned Civil Judge, Senior Division, Pune to decide the Civil Suit and the Counter Claim on its own merits and in accordance with law.

4 All contentions of all the parties are accordingly kept open.

5 Rule is disposed of in the aforesaid terms. There shall be no order as to costs.

6 All parties to act on an authenticated copy of this order.

(M.S.SONAK,J.)