

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.8124 OF 2008

Ramchandra Krishnaji Jadhav.] ... Petitioner

Versus

Santosh Ananda Nikam and Anr.] ... Respondents

None for Petitioners.

None for Respondents.

CORAM :- M. S. SONAK, J.

DATE :- MAY 07, 2015

P. C. :-

1. None for Petitioner.
2. This petition challenges order dated 17/10/2008 on the aspect of interim protection during pendency of Regular Civil Suit No. 368 of 2005.
3. This Court, on 20/08/2009, whilst granting Rule, made the following order :-

“1. Heard the learned counsel for the petitioner and the learned counsel for the respondents. Rule. Ad-interim relief granted on 16th December 2008 will continue to operate till the disposal of the suit or till the disposal of this writ petition, whichever is

earlier. The pendency of this petition will not operate as stay of the proceedings of the suit. Hearing of the suit is expedited. The trial Court will proceed with the hearing of the suit. While deciding the suit, the trial court will not influenced by the interim relief granted by this court.”

4. In view of the aforesaid order, it is reasonable to presume that Regular Civil Suit No.368 of 2005 has been disposed of, in which case, the present petition shall be rendered infructuous.

5. In any case, even if the suit is pending, there is no reason to disturb the interim position which obtain by virtue of orders dated 16/12/2008 and 20/08/2009 until the final disposal of the suit. It is ordered accordingly.

6. This petition is accordingly disposed of in the aforesaid terms. In case Regular Civil Suit No.368 of 2005 has not been disposed of till date, the learned Civil Judge is directed to dispose of the same as expeditiously as possible and in any case, within a period of one year from today.

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

(M. S. SONAK, J.)