

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

APPEAL AGAINST ORDER NO.48 OF 2015

Kailash S/o Jagatnarayan Pande

..vs..

Shri Bajrang Sales Corporation and ors

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
of directions and Registrar's orders

Court's or Judge's order

Shri P.P. Kothari, counsel for the appellant.

Shri R.M. Sharma, counsel for R-1 to 6.

Shri Rajeev Chhabra, counsel for R-7.

Mrs. S. Jachak, counsel for R-8.

CORAM : A.P. BHANGALE, J.

DATE : JULY 14, 2015.

Heard.

By this appeal, the appellant challenges order dated 19.1.2015 passed below Exh.242 by the learned 8th Joint Civil Judge Senior Division, Nagpur in pending Special Civil Suit No.563 of 2004 whereby temporary injunction was granted restraining defendant No.4 or anybody claiming on his behalf from dispossessing the plaintiffs from the suit property i.e. Plot No.20 situated at New Cotton Market Layout, Nagpur without following due process of law.

Learned counsel for the appellant submits that the pending special civil suit is of the year 2004. The appellant would be satisfied if the suit is directed to be heard as expeditiously as

possible.

Hence, without going into the merits of the impugned order as defendant No.4 is at liberty to follow the process of law to recover the possession, the following order is passed:

Since the suit is of the year 2004, the learned trial Judge concerned shall dispose of the suit as expeditiously as possible and preferably within a period of six months from the day of this order.

The appeal against order is disposed of accordingly.

JUDGE

!! BRW !!

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