

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

**APPEAL AGAINST ORDER NO. 113 OF 2014**

Tarlok Singh Karnal Singh Sokhi & Ano. Vs. Aditi wd/o Jetiner Singh Sokhi

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

Court's or Judge's Order

Shri Makrand Rajkondawar Adv for appellants.

**CORAM: A. S. CHANDURKAR J.**

**DATED: MARCH 25, 2015.**

The order passed by the trial Court below Ex. 5 partly allowing the application for interim injunction restraining the defendants from interfering or obstructing the peaceful possession of the respondent is under challenge.

It is submitted by the learned counsel for the appellants on instructions that considering the age of appellant no.1 if the proceedings before the trial Court are expedited then the interim order as passed by the trial Court below Ex. 5 on 08.07.2014 can be permitted to operate during pendency of the suit without prejudice to the rights of the

appellants.

Learned counsel for the respondent has no objection if the proceedings in the suit are expedited.

Considering the aforesaid, it is not necessary to examine the correctness of the reasons given by the trial Court while allowing the application for interim injunction. Hence, without prejudice to the legal rights of the parties the following order is passed:

Order dated 08.07.2014 passed below Ex. 5 shall continue to operate during pendency of the civil suit.

Considering the age of appellant no.1 the proceedings in Special Civil Suit No. 259 of 2014 are expedited and the trial Court is directed to decide said suit by the end of December 2015. It is clarified that the trial Court shall decide the suit independently without being influenced by any observations made in the order dated 08.07.2014.

Appeal stands disposed of in aforesaid terms with no order as to costs.

**JUDGE**

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