

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

AO No. 73 of 2014 with AO No. 110 of 2014
Rajnikant v. Pravin AND Pravin v. Rajnikant

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

Court's or Judge's orders.

Mr Sachin Zoting, Adv for appellant
in AO No. 73/2014
Mr Mohit Khajanchi, Adv and Mr S. O.
Ahmed, Advocate with him for respondent
in AO No. 73/2014

Mr Mohit Khajanchi, Advocate and Mr
S. O. Ahmed, Advocate with him for
appellant in AO No. 110 of 2014
Mr Sachin Zoting, Advocate for
respondent in AO No. 110 of 2014

CORAM : A. P. BHANGALE, J

DATED : 15th June 2015

1. Heard learned counsel for the parties at length. Perused the impugned order.
2. Appellant Pravin in AO No. 110 of 2014 is plaintiff while respondent Rajnikant is defendant in suit. Application (exhibit 5) for grant of temporary injunction is rejected by the trial Court. However, defendant is directed to file undertaking to the effect that he or anybody through him will not alienate suit

property in any manner during the pendency of main suit. Plaintiff has filed AO feeling aggrieved by rejection of application (exhibit 5) while defendant has questioned the said direction asking him to file undertaking that he will not create third-party interest in and over suit property pending final disposal of suit.

3. It is clear that anxiety of the trial Court is to see that suit property should not change hands during the pendency of suit. Learned counsel for plaintiff fairly submits that his client would be satisfied if undertaking as directed by the trial Court is furnished on record by defendant. Learned counsel for defendant agrees to file such undertaking on record. Both the counsel jointly request this Court to direct disposal of suit within one year from today. Request granted.

4. Appeals against Orders are accordingly disposed of. Original defendant shall file undertaking on record before the trial Court within one month from today, as directed by the trial Court in its order dated 2.4.2014. Learned trial Court shall decide suit itself as early as possible and at any rate, within one year from today. Parties are directed to cooperate with the trial Court for early disposal of suit. No order as to costs.

JUDGE

joshi