

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

WRIT PETITION NO.6856 OF 2014

Krishna Pillai s/o Ram Kurup @ K.K.Pillai

-vs-

Shivaji s/o Ramchandra Gotmare

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

Court's or Judge's Orders.

Shri A. R. Patil, Advocate for petitioner.

Shri N. S. Deshpande, Advocate for respondent.

CORAM : A.S.CHANDURKAR, J.

DATE : JULY 28, 2015

Rule. Heard finally with consent of learned counsel for the parties.

This writ petition arises out of an interlocutory application for grant of temporary injunction. This Court while issuing notice on 17/12/2014 has granted interim stay to the effect and operation of the order passed by the Appellate Court on 13/08/2014.

It is jointly submitted by the respective counsel without prejudice to their rights and contentions that the interests would be served if the proceedings in R.C.S. No.3 of 2011 are expedited and the interim order granted on 17/12/2014 is permitted to be continued till the adjudication of the civil suit. Hence by consent, the following order is passed :

(i) The proceedings in R.C.S.No.3 of 2011 are expedited and the trial Court shall decide the suit by the end of December 2015.

(ii) The ad interim order granted on 17/12/2014 shall continue to operate during pendency of the suit. However the trial Court shall decide the suit in accordance with law without being influenced by continuation of the interim order. The rights of the parties are kept open in that regard.

Writ petition is disposed of in aforesaid terms.

No order as to costs.

JUDGE