

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 2793 OF 2008**

Dilip Jaysing Jadhav

... Petitioner

Vs

Shamrao Yellappa Kamble

... Respondent

...

Mr. Wasim Samlewale i/b Umesh Mankapure, for the Petitioner.

Mr. V.S. Gokhale, for the Respondent.

**CORAM : M. S. SONAK, J.**

**DATE :26 APRIL, 2016**

**P.C. :**

1. Heard learned counsel for the parties.
2. The challenge in this petition is to the impugned order dated 13<sup>th</sup> March, 2008 made by the District Judge-3, Kolhapur in Civil Miscellaneous Appeal No. 19 of 2008, by which, the District Judge-3 has confirmed the order dated 17<sup>th</sup> January, 2008 made by the Civil Judge, Junior Division, Peth-Vadgaon in R.C.S. No. 36 of 2007, declining interim injunction in favour of the petitioner-plaintiff.
3. Notice was issued in this petition on 23<sup>rd</sup> April, 2008 and the parties were directed to maintain status-quo. The status-quo orders, it appears, have been continued till today.
4. The R.C.S. No. 36 of 2007 is at advanced stage and it is possible that the same will be disposed of finally, within a short period. In these

circumstances, although there is no necessity to interfere with the impugned order, it will be appropriate if the parties to maintain status-quo, which in any case, as continued since 23<sup>rd</sup> April, 2008. Accordingly, this petition is disposed of, by directing the parties to maintain status-quo until the final disposal of R.C.S. No. 36 of 2007.

5. It is made clear that the trial court in disposing of R.C.S. No. 36 of 2007 and R.C.S. No. 100 of 2004, need not be influenced by any orders made, at the interim stage or for that matter the present order. The suits may be disposed of, in accordance with law and on their own respective merits.

6. This petition is disposed of, in the aforesaid terms. There shall be no order as to costs.

7. All concerned to act on the basis of an authenticated copy of this order.

**(M. S. SONAK, J.)**