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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.296 OF 2015
WITH
CIVIL APPLICATION NO.364 OF 2015

Tejaswi Farms & Properties Pvt. Ltd. & Ors. ...Appellants
V/s.
M/s.URA Developers Pvt. Ltd. & Ors. ...Respondents

WITH
APPEAL FROM ORDER NO.295 OF 2015
WITH
CIVIL APPLICATION NO.1366 OF 2015

Dattatray D. Kanade & Ors. ...Appellants
V/s.
Ambaji K. Kanade & Ors. ...Respondents

WITH
APPEAL FROM ORDER NO.339 OF 2015

Ambaji K. Kanade & Ors. ...Appellants
V/s.
M/s.URA developers Pvt. Ltd. & Ors. ...Respondents

Mr.S.S. Patwardhan for the Appellant in A.O. No.296 of 2015.

Mr.S.S. Patwardhan i/b Mr.Ajay Madgadum for the Appellant in A.O. No.339 of 2015.

Mr.I.M. Khairdi for the Appellant in A.O. No.295 of 2015.

Mr.V.A. Thorat, Senior Counsel i/b Mr.Siddharth Wakankar for the Respondent No.1.

Mr.S.S. Redekar for the Respondent No.5.

CORAM : R.D. DHANUKA, J.
DATE : 1ST DECEMBER, 2016.

P.C. :-

1. By these three appeals, the appellants have impugned the order dated 10th November, 2014 passed by the learned Civil Judge, Senior Division, Satara granting injunction against one of the appellant (defendant no.52), his agent or any other person claiming through him from delivering the possession of the suit land to any other person in the application (Exhibit – 5). There is no *ad-interim* order granted by this Court in these appeals.
2. If the appeals are admitted, hearing will take time. It would be in the interest of justice, if the defendants are directed to file the draft issues before the learned trial Judge and if the hearing of the suit itself is expedited.
3. The defendants to the suit are directed to file the draft issues before the learned trial Judge and shall appear before the learned trial Judge on 9th December, 2016. The learned trial Judge shall make an endeavor to dispose of the said suit within one year from the date of filing of the draft issues. All parties are directed to co-operate with each other and with the learned trial Judge in disposal of the suit expeditiously.
4. It is made clear that the observations made by the learned

trial Judge in the impugned order dated 10th November, 2014 are *prima-facie*. The learned trial Judge shall decide the suit on its own merits without being influenced by the observations made by the learned trial Judge in the impugned order dated 10th November, 2014.

5. It is made clear that this Court has not expressed any views on the merits of the matter.

6. All the appeals from order are disposed of in aforesaid terms.

7. In view of disposal of the appeals from order, the aforesaid civil applications in these three appeals from order do not survive and are accordingly disposed of. No order as to costs.

(R.D. DHANUKA, J.)