

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.3204 OF 2016**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Mr.Umesh Pawar, Advocate for Petitioner.

CORAM : R. G. KETKAR, J.

DATE : 30/11/2016

P.C.:

1. Heard Mr.Umesh Pawar, learned Counsel for the petitioner.

2. By this Petition under Article 227 of the Constitution of India the petitioners, hereinafter referred to as the plaintiff, has challenged the judgment and order dated 31.10.2015 passed by the learned IVth Jt. Civil Judge, Junior Division, Karad in application below Exhibit-5 in R.C.S. No.492/2014 as also the judgment and order dated 6.2.2016 passed by the learned District Judge-1, Karad in M.C.A. No.66/2015. By these orders, the Courts below rejected the application made by the plaintiff for injunction.

3. Mr.Pawar submitted that the respondents have completed the construction. He, therefore, submits that the Petition has become infructuous. He further submits that the learned trial Judge may be directed to dispose of the suit in a time bound manner.

4. In view thereof, the Petition is disposed of as infructuous reserving liberty to the petitioner/plaintiff to file application before the trial Court for disposing of the suit in a time bound manner. If such an application is made, the learned trial Judge will keep in mind the fact that the defendant is a senior citizen and pass appropriate order.

(R. G. KETKAR, J.)