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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.8682 OF 2017

Ambadas Kerba Mande

PETITIONER

VERSUS

The State of Maharashtra and Others

RESPONDENTS

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Mrs. P. G. sontakke, Advocate for the petitioner

Mr. S. N. Kendre. AGP for respondent - State

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[CORAM : SUNIL P. DESHMUKH, J.]

DATE : 12th JULY, 2017

ORDER :

1. Heard learned advocate for the petitioner.
2. The petitioner moves this court under writ petition against two concurrent decisions granting temporary injunction against present petitioner. It is the case of the petitioner that originally petitioner is allottee of suit property, which is being unauthorizedly occupied by respondent No. 3. Upon realization of the same, Gram Panchayat issued notice to respondent No. 3 and thereafter the suit ensued.
3. Two courts hitherto have found respondent No. 3 to be in occupation of the suit property. In the circumstances, possession

of respondent No. 3 protected under the interim order can seldom be faulted with.

4. As such, writ petition is not being entertained and is disposed of with direction to Civil Judge, Senior Division, Latur to dispose of Regular Civil Suit No. 299 of 2016 itself expeditiously, preferably within a period of four months from the date of receipt of writ of this order, as it is given to understand that suit has reached the stage of evidence.

[SUNIL P. DESHMUKH, J.]