

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 133 OF 2016

**BHASKAR SHANKARRAO PAWAR
VERSUS
RAMAKANT GOVIND JOSHI AND OTHERS**

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Mr.R.V.Gore, Advocate for petitioner
Mr.S.V.Natu, AGP for respondent nos.1 to 3

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**CORAM : S.V. GANGAPURWALA, J.
DATE : APRIL 24, 2017**

PER COURT :

Heard Mr.Gore, learned Counsel for the petitioner and Mr.Natu, learned Counsel for respondent nos.1 to 3.

2. The petitioner is original plaintiff who has filed a suit for injunction. The dispute is about the right of way. The appeal filed by the respondents came to be allowed and the order passed by the trial Court on the application below Exhibit 5, was set aside. The present petition is filed against the order of the appellate Court.

3. This Court on 07.01.2016 had issued notices and the order of the learned District Judge in Misc. Civil Appeal came to be stayed. The said order is continued from time to time. It is stated that the suit is now for evidence.

4. Considering the nature of dispute, it will be appropriate to get the suit decided on merits.

5. In view of the above, the Writ Petition is disposed of. The trial Court shall decide the suit expeditiously and preferably, within a period of six months from today. Till the decision of the suit, the interim order passed by this Court on 07.01.2016, shall continue. No costs.

[S.V. GANGAPURWALA, J.]

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