

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.996 OF 2016

Kailas Kisan Date & Ors. .. Petitioners
Versus
Jaysingh Dattu Narwade & Ors. .. Respondents.

WITH
WRIT PETITION NO.997 OF 2016

Balkrishna Bhimaji Gunjal & Ors. .. Petitioners
Versus
Jaysingh Dattu Narwade & Ors. .. Respondents

WITH
WRIT PETITION NO.999 OF 2016

Swapnil Suresh Unde .. Petitioner
-Versus-
Jaysingh Dattu Narwade & Ors. .. Respondents

Mr. A.Y.Sakhare, Senior Advocate i/b. Rajendra Anbhule for petitioners
Mr. Uday P. Warunjikar for respondent Nos. 1 to 3.

CORAM : MR. M.S.KARNIK, J.

DATE : 30th January 2017.

P.C.

1] Heard Mr. Sakhare, learned Senior Counsel for the petitioners. Learned Senior Counsel on instructions submits that the trial of the original suit is likely to come to an end within a period of next two to three months. The evidence of the parties is also almost over.

2] In this view of the matter the learned Senior Counsel on instructions submits that he will not press these petitions. He further submits that all the observations made by the learned Appellate Court in the impugned order may be understood to be limited to the disposal of the Misc. Civil Appeal and the trial court may not be influenced by the observations made by the learned appellate court at the interim stage. Hence, the following order:-

(a) Since the learned Senior Counsel for the petitioner does not press these present petitions, the same are disposed of as not pressed;

(b) Learned trial court may dispose of the suit as expeditiously as possible;

(c) It is made clear that any of the observations made by the appellate court in the impugned order shall not influence the trial court while deciding the main matter;

(d) All contentions of both sides are kept open.

3] I may not be understood to have expressed any opinion on the merits of the matter, subject to what is mentioned herein above, the present petitions are disposed of.

(M.S.KARNIK, J)