

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

**APEAL FROM ORDER NO. 2 OF 2018
WITH
CIVIL APPLICATION NO. 330 OF 2018**

**DR. PUNDLIK EKNATH TALELE AND ANOTHER
VERSUS
SADASHIV VASANTRAO KOSALGE AND ANOTHER**

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Advocate for the Petitioners : Shri A. D. Kasliwal A
Advocate for Respondent No.1 : Shri Santosh Munde h/f.
Shri K.C. Sant.
Advocate for Respondent No. 2 : Shri G. D. Jain

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CORAM : RAVINDRA V. GHUGE, J.

DATED : 28th NOVEMBER, 2018.

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PER COURT :

1. The appellants are aggrieved by the interlocutory order dated 12/10/2017, by which, the Trial Court has declined temporary injunction while rejecting application Exhibit 5 in Special Civil Suit No. 255/2016.

2. I have considered the submissions of the learned Advocates for the respective sides. It is informed that the pending suit can be expedited. Issues can be framed and recording of oral evidence of the plaintiffs can be commenced.

3. The learned Advocate for the respondents submits that they can lead evidence with promptitude.

4. In view of the above, this Appeal is disposed off with a direction to the Trial Court, in the peculiar facts of this case as are recorded above, to decide Special Civil Suit No. 255/2016, as expeditiously as possible and preferably on or before 31/10/2019. Issues can be cast within four weeks from today.

5. Needless to state, the recording of oral evidence of the parties can be concluded by the end of July, 2019.

6. Pending Civil Application does not survive and stands disposed off.

(RAVINDRA V. GHUGE, J.)

shp/-