

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

920 WRIT PETITION NO. 12701 OF 2017

**RAJENDRA LAXMANRAO KOKATE
VERSUS
JAYASHRI DNYANESHWAR SHINDE AND ANOTHER**

...
Advocate for Petitioner : Shri A. P. Bhandari
...

CORAM : RAVINDRA V. GHUGE, J.

DATED : 24th NOVEMBER, 2018.

...

PER COURT :

1. Despite issuance of notices by this Court, the respondents have not been served in view of the remark that detailed address is not supplied.

2. I find that the addresses supplied by the petitioner / plaintiff are identical to the addresses mentioned by the original defendants in the Trial Court.

3. The learned Advocate for the petitioner / plaintiff submitted that he is without an injunction and, therefore, prays that some protection may be granted.

4. I have considered the vehement submissions of the learned Advocate for the petitioner / plaintiff. The Trial Court has refused injunction to the petitioner by order dated 16.10.2014. I have gone through the order passed by the Trial Court. The petitioner is also denied an injunction by the impugned judgment of the Appellate Court dated 17.08.2017, by which, his MCA No.196/2014 has been rejected.

5. I find that the pending suit is more than four years old. The suit is ready for recording of evidence as the temporary injunction application was rejected on 16.10.2014, paving the way for casting of issues.

6. In view of the above, this petition is disposed of with a direction to the Trial Court to decide RCS No. 426 of 2014 as expeditiously as possible and in any case on or before 30th June, 2019. The Trial Court would be justified in refusing adjournments to the litigating sides, if the same are sought on unreasonable or frivolous grounds.

(RAVINDRA V. GHUGE, J.)

vsm/-