

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

WRIT PETITION NO. 1659 OF 2014

**SHAIKH NOOR HUSSAIN SHAIKH KODUMIYA AND OTHERS
VERSUS
SHAIKH NABI SHAIKH KODUMIYA**

...

Advocate for the Petitioners : Shri V. G. Mete
Advocate for the Respondent- sole : Shri A. D. Kasliwal

...

CORAM : RAVINDRA V. GHUGE, J.

DATED : 18th SEPTEMBER, 2018.

...

PER COURT :

1. The petitioners, who are original defendants, are aggrieved by the judgment and order dated 15/10/2013 delivered by the Respondent/Appellate Court, by which, MCA No. 19/2013 filed by the original plaintiff was allowed and injunction has been granted against the petitioners, thereby, restraining them from alienating, selling or transferring the suit property as described in paragraph No. 2 of the plaint, to any third party during the pendency of the suit. The suit has been expedited by the Appellate Court.

2. Considering the submissions of the learned Advocates

for the respective sides and keeping in view that this petition is pending since 04/12/2013 without any order in favour of the petitioners, I find that this petition can be disposed off by expediting the suit.

3. The learned Advocate for the petitioners- defendants submits that the suit may be expedited so as to be decided within three months from today and the petitioners would render co-operation to the learned trial Court for such expeditious adjudication. The learned Advocate for the plaintiff submits that instead of three months, as the suit is of the year 2011, the same could be decided conveniently within six months.

4. In view of the above, this petition is disposed off with a direction to the learned trial Court to decide RCS No. 452/2011 as expeditiously as possible and preferably on or before 30/03/2019.

5. Needless to state, the amount which is said to be deposited by the State in the State Bank of India, Paithan

Branch, Tq. Paithan, District Aurangabad towards crop insurance or under similar compensation schemes, shall remain deposited with the said State Bank of India and neither of the litigating parties would be permitted to withdraw the said amount till the decision in this civil litigation.

(RAVINDRA V. GHUGE, J.)

shp/-