

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

APPEAL FROM ORDER NO. 1 OF 2017
WITH
CIVIL APPLICATION NO. 159 OF 2017

Ajit Hastimal Gandhi .. Appellant
vs
Mahalaxmi Warehousing,
registered partnership and ors. .. Respondents

Mr. Ameet R. Vaidya, Advocate for appellant
Mr. D.N. Patil (Bankar), Advocate for respondent no.1
Mr. D.D. Chaudhari, Advocate for respondent no.2
Mr. M.R. Sonawane, Advocate for respondent no. 3

CORAM : SUNIL P. DESHMUKH, J.
DATE : 9th March, 2018

ORDER :

1. Original Plaintiff is before this court in present appeal from order aggrieved by rejection of application at Exhibit-5 by Civil Judge, Senior Division, Ahmednagar in special civil suit no. 317 of 2011 under order dated 18-10-2016. Under application at Exhibit - 5, plaintiff had sought injunction against defendants - present respondents prohibiting them from alienating suit property.
2. Appeal from order has been pending in this court since 2017. There has been an interim relief running in the matter in

the shape of direction to maintain status-quo in respect of suit property since 11-01-2017.

3. In view of the same, in stead of going into merits of claims on either side, it appears to be expedient and in the interest of parties as well to let the suit proceedings go on expeditiously and during its pendency, position as obtaining on this date be maintained.

4. As such, suit to proceed with and be disposed of as expeditiously as possible, preferably within a period of six months from the date of receipt of writ of this order and till decision of the trial court in the suit, as referred to above, position obtaining under order of this court dated 11-01-2017 be maintained. It is made clear that all points are kept open for parties.

5. With aforesaid, appeal from order and civil application stand disposed of.

SUNIL P. DESHMUKH,
JUDGE

pnd/-