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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.510 OF 2017

Krishanat B. Kadam

...Petitioner

V/s.

Vijaykumar V. Jadhav

...Respondent

Mr.Vasant Raut for the Petitioner.

Mr.Kuldeep Nikam for the Respondent.

CORAM : R.D. DHANUKA, J.

DATE : 21ST AUGUST, 2018.

P.C. :-

1. The petitioner has impugned the order dated 27th October, 2015 below Exhibit-6 passed by the learned Civil Judge, Junior Division, Islampur and the order dated 19th October, 2016 passed by the learned District Judge – 3, Islampur below Exhibit-48. It is not in dispute that the evidence has already commenced in Special Civil Suit No.21 of 2014. There is no *ad-interim* stay granted by this Court in this writ petition since the date of filing of the writ petition.

2. I am thus not inclined to interfere with the impugned orders passed by the two Courts below. It is made clear that the learned trial Court shall dispose of the said suit without being influenced by the observations made by the learned trial Judge as well as the learned District Judge – 3 in the impugned orders and shall decide the suit on

its own merit. It is made clear that this Court has not expressed any views on merit of the matter and has rejected the writ petition only on the ground that the trial has commenced and this Court has not granted any *ad-interim* relief since the date of filing of this writ petition.

3. The writ petition is disposed of in aforesaid terms. There shall be no order as to costs.

(R.D. DHANUKA, J.)