

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****WRIT PETITION NO. 2992 OF 2016****Ajay Babulal Shah & Anr.****..... Petitioners****VERSUS****Adhyaru Industrial Premises
Co-operative Society Limited****..... Respondent**

Mr. Deepak S. Jadhav for the Petitioners.

CORAM : R.D. DHANUKA, J.**DATE : 22nd OCTOBER, 2018****P.C.**

By this petition filed under Article 227 of the Constitution of India, the petitioners have impugned the order dated 1st October, 2015 passed by the Maharashtra State Co-operative Appellate Court dismissing the appeal filed by the petitioners against the order of the Maharashtra Co-operative Court below Ex.5. The licensee of the petitioner has been using the alternate access available to the petitioners for last several years. The dispute is already at the trial stage. There is no *ad-interim* order passed by this court since the date of filing of this petition.

2. I am thus not inclined to interfere with the impugned order passed by the Maharashtra State Co-operative Appellate Court. Hearing of the dispute is expedited.

3. None of the party shall seek any unnecessary adjournment before the Co-operative Court.

4. It is made clear that the said dispute shall be decided on its own merits without being influenced by the observations made in the impugned orders passed by the two courts below.

5. Writ petition is disposed of in the aforesaid terms. No order as to costs.

[R.D. DHANUKA, J.]

Kanchan
Vinod
Mayekar

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