

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION No. 2767 OF 2013

Shri.Pandurang Hari Tare & Ors.

...Petitioners

Versus

Shri. Yuvraj Ramprakash Malhotra & Anr.

...Respondents

.....

Mr.Chintan Shah i/b. Mr. Amol S. Sonawane for the Petitioners.
Mr.Rajneesh Ranjan for Respondent No.1.

.....

**CORAM: MRS.MRIDULA BHATKAR, J.
DATED: JUNE 19, 2018**

P.C. :

1. Rule. Rule made returnable forthwith. By consent of the parties, the Writ Petition is disposed of at the stage of admission.

2. This Writ Petition is directed against the order dated 2nd January, 2013 passed by the learned Ad-hoc District Judge-2, Kalvan thereby allowing Misc. Civil Appeal No. 51 of 2012 filed by respondent no.1 / original plaintiff.

3. The original plaintiff has filed Regular Civil Suit No. 294 of 2012 for declaration and injunction in which his application below

exhibit 5 for interim injunction was rejected by the learned Civil Judge, Junior Division, Ulhasnagar, vide order dated 20th April, 2012. Against the said order, the original plaintiff has filed Misc.Civil Appeal No. 51 of 2012. The said Appeal was allowed in the month of January, 2013. During the pendency of this Petition, no interim relief was granted in favour of the petitioners.

4. In view of this, the Writ Petition is disposed of with following order :

ORDER

The trial Court to hear the matter and conclude it preferably within a period of one year from today.

(MRIDULA BHATKAR, J.)