

WRIT PETITION No. 3384 of 2017

Mr. S.M. Oak I/by Sagar Joshi for Respondent No. 13,22 and 26.

CORAM: R.D. DHANUKA, J.
4th October, 2018

P.C:-

1) By this petition filed under Article 227 of the Constitution of India, the petitioners have impugned the order dated 14th February, 2017 passed by the learned District Judge 10, Thane, thereby allowing the appeal bearing Misc.Civil Appeal No.13/2017 filed by the respondents (original plaintiffs), setting aside the order passed by the learned Joint Civil Judge, S.D. Thane in Regular Civil Suit No. 972 of 2016 rejecting application for temporary injunction Exh.5, restraining the petitioners from taking any action as per the demand notice for a period of six

months from the date of the said order.

2) In my view, the six months period during which the petitioners were restrained from taking any action against the respondents (original plaintiffs) as per the demand notice has already expired from the date of order i.e., 14th February, 2017. The writ petition has, thus, become infructuous. There is no bar against the petitioners for initiating action under the said order beyond the period of six months. Writ petition is accordingly disposed of as infructuous for the aforesaid reasons.

(R.D. DHANUKA, J.)