

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4164/2014

Bhalchandra Dnyandeo Kadam ... Petitioner

V/s.

Trimbak Janardan Kumbhar & Ors. ... Respondents

Mr. Sandeep S. Salunkhe for the Petitioner
Mr. Anand S. Kulkarni for Respondent Nos.1 and 2.

CORAM: K.K. TATED, J.

DATED : DECEMBER 5, 2018

P.C. :

1 Heard. By this petition under Article 227 of the Constitution of India the Petitioner challenges the order dated 19.10.2013 passed by the Jt. Civil Judge, Junior Division, Mhada, Dist. Solapur below Exhibit- 5 in Regular Civil Suit No. 401/2012 and order dated 03.01.2014 passed by the learned District Judge, Solapur in Civil Misc. Appeal No.153/2013 granting injunction in favour of the Respondent Plaintiff restraining the Petitioner Defendant from obstructing the cultivation and possession of the Plaintiffs over the suit land till final adjudication of the suit.

2 The learned counsel for the Respondent Plaintiff, on the basis of the instructions of his client, makes a statement that the final hearing of the civil suit is scheduled in the next month.

3 On the basis of the statement made by the learned counsel for the Respondent Plaintiff, the learned counsel for the Petitioner seeks liberty to withdraw the Writ Petition. He submits that if the suit is not decided in the next month, the hearing of the suit be expedited. To that effect, he has given in writing. Same is taken on record and marked "X" for identification.

4 Considering the submissions made by the learned counsel for the Petitioner, following order is passed:

- a. The Writ Petition stands disposed of as withdrawn.
- b. The learned Civil Judge, Junior Division, Mhada, Dist. Solapur is directed to dispose of Regular Civil Suit No. 401/2012 as early as possible, but in any case, on or before 31.03.2019.
- c. No order as to costs.

(K. K. TATED, J.)