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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.1044 OF 2015
WITH
CIVIL APPLICATION NO.824 OF 2016
IN
APPEAL FROM ORDER NO.1044 OF 2015

Shrikrishna Shankar Shedage
and ors

.... Appellants

V/s.

Tanaji Ganpat Shedage and ors

.... Respondents

Mr. Ravi G. Shinde, for the Appellants

Mr. Kaustubh Thipsay, for the Respondent Nos. 1 to 8.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 22nd OCTOBER, 2018.

P.C. :

- 1] Heard learned counsel for the appellants and respondents.
- 2] It is pointed out that this Appeal from Order is preferred against the order dated 24.03.2015, whereby the trial Court has dismissed application for interim injunction. It is also submitted that during the pendency of this appeal, no interim relief is granted.
- 3] In view thereof, as the suit before the trial Court is pending, it would be in the fitness of things that instead of deciding this Appeal from

Order, on merits, especially when it is pending since last three years and the suit is also of the year 2013, it is to be decided on its own merits.

4] Ordered accordingly.

5] Therefore, the appeal stands disposed off as dismissed.

6] In view of dismissal of Appeal itself, pending Civil Application therein no more survives and the same is disposed off accordingly.

[DR. SHALINI PHANSALKAR-JOSHI, J.]